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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 3, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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CLOSED SESSION

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session (DISCUSSION ONLY)

   a. Pursuant to Government Code section 54956.9(a) and San Francisco Administrative Code section 67.10(d)(1):
   CONFERENCE WITH LEGAL COUNSEL - Existing Litigation
   Bettencourt et al, v. CCSF et al., First District Court of Appeal case number A112880
   Breslin et al., v. CCSF et al., First District Court of Appeal case number A111455

   b. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code section 67.10(b):
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police
   Review of findings and decision to return officer to duty following officer involved shooting. (OIS Case No. 06-007)

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OPEN SESSION

Pledge of Allegiance; Roll Call

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

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6. Status report on preparation of the FY 07-08 Department Budget (DISCUSSION ONLY)

7. Status report regarding the addition of a Policy Analyst position to the Commission office staff (DISCUSSION ONLY)

8. Discussion and possible action to approve the request of the Chief of Police urging the Commission to adopt a resolution requesting the Board of Supervisors' approval to accept the PEN-LINK Analysis Software System for Department use, and any augmentations, extensions, and modifications (ACTION ITEM)

9. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

10. OCC Director's Report (DISCUSSION ONLY)
    a. Review of Recent Activities

11. Approval of minutes for the meetings of November 8th and 15, 2006 ACTION ITEM)

12. Commission Announcements (DISCUSSION ONLY)
    a. Assignment of disciplinary case no. C06-217 to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner
    b. Assignment of disciplinary case no. C06-218 to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner
    c. Assignment of disciplinary case no. C06-219 to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner
    d. Assignment of disciplinary case no. C06-220 to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner
    e. Assignment of disciplinary case no. C06-202 to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner

13. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

14. Adjournment in memory of Officer Bryan Tuvera #1941 (ACTION ITEM)

*** SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667

The Police Commission

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President

THERESA SPARKS
Vice President

DAVID CAMPOS
Commissioner

DOUGLAS CHAN
Commissioner

PETRA DeJESUS
Commissioner

DR. JOE MARSHALL
Commissioner

JOE ALIOTO VERONESE
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(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

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SAN FRANCISCO POLICE
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For information about MUNI service call 923 6142

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For information about the meeting call 553-1667 (v) or 553-9194 (tty)

JANUARY 3, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, in San Francisco, at 5:38 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Lee to hold Closed Session. Approved 7-0.

CLOSED SESSION

a. **CONFERENCE WITH LEGAL COUNSEL - Existing Litigation**
Bettencourt et al. v. CCSF et al., First District Court of Appeal case number A112880
Breslin et al. v. CCSF et al, First District Court of Appeal case number A111455

b. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**
Review of findings and decision to return officer to duty following officer involved shooting (OIS Case No. 06-007)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner DeJesus for non disclosure. Approved 7-0.

PUBLIC COMMENT

None

STATUS REPORT REGARDING THE ADDITION OF A POLICY ANALYST POSITION TO THE COMMISSION OFFICE STAFF

Taken out of order.

Deputy Chief Keohane introduced Alice Villagomez, Director of Staff Services.

Ms. Villagomez briefed the Commission on the policy analyst position to the Commission staff. Ms. Villagomez suggested appointing one Commissioner to serve as a screening person to review the applications.

Commissioner Renne suggested going forward and the Commission will review the applications.

Commissioner Campos asked how long the process will take. Ms. Villagomez explained that it normally takes two weeks for the application process and then the interviews and background process.

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PUBLIC COMMENT

Mark Schlosberg, ACLU, stated that this needs to be an expedited process.

STATUS REPORT ON PREPARATION OF THE FY 07-08 DEPARTMENT BUDGET

Deputy Chief Keohane introduced Mr. Ken Bukowski, CFO Fiscal Division.

Mr. Bukowski presented the status report regarding the Department Budget for fiscal year 2007/2008 and also gave the Commission a timeline for development of the 2007/2008 Department budget.

Commissioner Sparks asked for a report as to where the Department is at relative to the budget. Mr. Bukowski stated that they are in the process now in preparing the information for the six-month report and will be meeting with the Controller's office on the 16th. He stated that after that spreadsheet is created he will include it in the next budget presentation.

Commissioner Sparks also talked about the supplemental which was reserved by the Board and asked that in the next variance analysis, if the status of that supplemental can be included.

Commissioner Campos asked about the POA negotiations. Ms. Villagomez stated that planning process have began consistent with the Charter requirements. She stated that she will be participating in the negotiations and along with the review of issues through the Mayor's Office, through the Employee Relations Division and in conjunction with the policy directives that are reviewed with the Chief, Ms. Villagomez stated that she'd be happy to come back and review what those issues are as they proceed with the process.

Commissioner Campos also asked about the Commission budget. Mr. Bukowski asked that if there are certain funding levels or positions that were desired for the 06/07 budget that weren't fully funded, please forward the information to him to be included in the initial budget presentation or revisit that as part of the discussion when the whole budget is considered on January 24th. Commissioner Campos asked that this item be included in the process. Commissioner Campos talked about resources for cultural sensitivity training, language access, and resources to implement the foot patrol ordinance.

Commissioner Sparks talked about transferring the Taxi Detail to the Taxi Commission. Commissioners Sparks also talked about the Blue Ribbon Panel budget and asked if the cost for that study will be included in the budget. Commissioner Sparks also would like a discreet budget for the Commission with all the various items in it. Commissioner Sparks also talked about budget for a hearing officer. Commissioner Sparks also talked about video coverage of the end of the month meetings.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE REQUEST OF THE CHIEF OF POLICE URGING THE COMMISSION TO ADOPT A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS' APPROVAL TO ACCEPT THE PEN-LINK ANALYSIS SOFTWARE SYSTEM FOR DEPARTMENT USE, AND ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS

Inspector Tony Casillas gave a quick overview of the Pen-Link Analysis Software System.

Motion by Commissioner Marshall, second by Commissioner DeJesus. Approved 7-0.

RESOLUTION NO. 6-07

APPROVAL OF THE CHIEF'S REQUEST URGING THE COMMISSION TO ADOPT A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS' APPROVAL TO ACCEPT THE PEN-LINK ANALYSIS SOFTWARE SYSTEM FOR DEPARTMENT USE, AND ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS

RESOLVED, that the Police Commission hereby asks the Board of Supervisors for approval to accept the PEN-LINK Analysis Software system for department use, and any augmentations, extensions and modifications.

AYES: Commissioners Renne, Campos, Chan, DeJesus, Marshall, Sparks, Veronese

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong talked about the events from the past week. Chief Fong commended the officers of the Department and thanked them for their hard work.

Chief Fong stated that next week Deputy Chief Tabak will give a comprehensive report on overall crimes in the city.

Chief Fong reported on the events of New Year's eve and highlighted two arrests made by members of the Department.

PUBLIC COMMENT
None

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Commissioner Renne announced that Director Kevin Allen will be offering his resignation effective February 7th due to medical reasons.

APPROVAL OF MINUTES FOR THE MEETINGS OF NOVEMBER 8TH AND 15, 2006

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 7-0.

COMMISSION ANNOUNCEMENTS

a. **Assignment of disciplinary case no. C06-217 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Assigned to Commissioner Campos)
b. **Assignment of disciplinary case no. C06-218 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Assigned to Commissioner Campos)
c. **Assignment of disciplinary case no. C06-219 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Assigned to Commissioner Campos)
d. **Assignment of disciplinary case no. C06-220 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Assigned to Commissioner Campos)
e. **Assignment of disciplinary case no. C06-202 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Assigned to Commissioner Lee)

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Sparks would like the priority list to be calendared.

ADJOURNMENT IN MEMORY OF OFFICER BRYAN TUVERA, STAR NO. 1941

Motion by Commissioner Marshall, second by Commissioner DeJesus to adjourn the meeting in memory of Officer Bryan Tuvera, Star No. 1941.

Thereafter, the meeting was adjourned in memory of Officer Bryan Tuvera, Star No. 1491, at 8:20 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 10, 2007
4:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

PLEASE NOTE EARLY START TIME

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(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

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3. Closed Session

   a. Pursuant to Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1): (DISCUSSION O NLY)
   CONFERENCE WITH LEGAL COUNSEL
   Javed Malik et al. v. Michael Joseph Montero et al., Superior Court No. 438564

   b. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matters of OCC File Nos. C04-121 JWF, C04-122 JWF, and C04-125 JWF (ACTION ITEM)

   c. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-043 KMO) (ACTION ITEM)

   d. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-151 JCT) (ACTION ITEM)

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e. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
PERSONNEL EXCEPTION: Status and calendaring of pending disciplinary matters (DISCUSSION ONLY)

f. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
PERSONNEL EXCEPTION: Discussion of possible candidates for Interim Director of the OCC (DISCUSSION ONLY)

(OPEN SESSION)
Pledge of Allegiance; Roll Call

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Approval of Consent Calendar (ACTION ITEM)
   a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:
   Javed Malik et al. v. Michael Joseph Montero et al., Superior Court No. 438564

6. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

7. 2006 Homicide and Crime Trends Overview (DISCUSSION ONLY)

8. Chief's Report
   a. Update on significant policing efforts by Department members
   b. Presentation of Certificates of Appreciation

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9. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

10. Discussion and possible action to adopt revised Department General Order 5.10, "False Alarms" (ACTION ONLY)

11. Commission Announcements (DISCUSSION ONLY)
    a. Status of selection process for Director of the Office of Citizen Complaints

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

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JANUARY 10, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:10 p.m., in Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Veronese was excused at 8:40 and returned at 8:47 p.m.)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 7-0.

CLOSED SESSION

a. CONFERENCE WITH LEGAL COUNSEL
Javed Malik et al. v. Michael Joseph Montero et al., Superior Court No. 438564

b. PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matters of OCC File Nos. C04-121 JWF, C04-122 JWF, and C04-125 JWF

c. PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-043 KMO

d. PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-151 JCT

e. PERSONNEL EXCEPTION: Status and calendaring of pending disciplinary matters

f. PERSONNEL EXCEPTION: Discussion of possible candidates for Interim Director of the OCC

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner DeJesus for non disclosure. Approved 7-0.

APPROVAL OF CONSENT CALENDAR

a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:
Javed Malik et al. v. Michael Joseph Montero et al., Superior Court No. 438564

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 7-0.

RESOLUTION NO. 7-07

JAVED MALIK et al. v. MICHAEL JOSEPH MONTERO et al.

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RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Javed Malik et. al. v. Michael Joseph Montero et al," in San Francisco Superior Court No. 438564, be, and the same is hereby approved.

Date of Incident: February 15, 2004

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

CHIEF'S REPORT

b. Presentation of Certificates of Appreciation

Taken out of order.

Presentation of Certificate of Appreciation to Mr. Robert Tronnes and Ms. Jennifer Wang.

2006 HOMICIDE AND CRIME TRENDS OVERVIEW

Deputy Chief Tabak presented the 2006 homicide and crime trends overview.

Lieutenant John Loftus talked about the responsibilities of the Robbery Detail.

Lieutenant Leroy Lindo talked about the responsibilities of the General Work Detail.

Lieutenant Tom Buckley talked about the responsibilities of the Burglary/Fencing Unit.

Lieutenant Mike Biel talked about the responsibilities of the Auto Detail Unit.

Commissioner Veronese asked about felony arrests and why the number is down. Chief Tabak explained that it is due to staffing. Commissioner Veronese asked if the Department is looking at any other tools in going after specific targets. Chief Tabak stated that what the Department looks at is narcotics because it usually is the cause of the violence.

Commissioner Campos stated that the issue of the criminal justice system failing the City and County of San Francisco is a very complicated issue and one that can be discussed for days. Commissioner Campos stated that as a member of the SF Commission, he would like to focus on the Department and not go beyond the jurisdiction of the Commission. He asked about the reduction of the homicide rates and asked about the strategies. Chief Tabak explained that the key to the strategy is to focus on those individuals who have a high proportionality in committing crimes. He stated that narcotics is the red flag because where you have narcotics, you have guns, and when you have guns, you have homicides. Chief Tabak explained strategies used by the Department.

Commissioner Campos asked for the numbers of arrests and how it compare to other jurisdictions in terms of homicides.

Commissioner Campos asked if foot patrols will make a difference. Chief Tabak stated that any kind of patrol presence is a deterrence to crime. Chief Tabak also stated that the District Attorney's Office and the Department has an excellent relationship.

Commissioner Lee asked about statistics nationally and working with CBOs. Chief Tabak stated that yes the Department does keep track of the stats and a presentation on domestic violence will be presented to the Commission in a few weeks. Commissioner Lee asked about crimes against youth. Chief Tabak stated that crimes in schools is reported by the school but outside of that environment, it is from the parents or the neighbors.

Commissioner DeJesus asked about data on recidivist crimes and stats on out-of-town arrests and how many are African-Americans. Chief Tabak stated that the Department response to behavior but he will try to come up with some data in regards to that.

Commissioner DeJesus stated that in the previous presentation, Chief Tabak had talked about the parents and the community's faults and with this presentation, the topic is the criminal justice system. Chief Tabak explained that everyone can do better and that everyone has room for improvement.

Commissioner Marshall asked about out-of-town arrests. Chief Tabak stated that the Department works with the San Mateo County and the Santa Clara County in dealing with gang issues, 290 registration and sexual registrant issue. Commissioner Marshall thanked the Chief for his presentation.

Commissioner Sparks asked about un-preventable homicides. Chief Tabak stated that there is almost an equal amount of those types of homicides in 2004, 2005, and 2006. Commissioner Sparks asked for some context to the homicide statistics as to how many shootings and how many violent crimes so that the Commission can get a clear picture.

Commissioner Sparks asked what kind of communications does the Department has with the courts and the judges. Chief Tabak stated that there's an ongoing relationship with the courts and the District Attorney. Commissioner Sparks asked how the judges would react to the statistics and what their involvement is in the process and in fixing the problem. Chief Tabak stated that the first step would be to get the courts and the public defender involved and get the felony cases moving forward. Chief Tabak also explained that meetings with city agencies regarding what the city can do to prevent violence is on going.

Commissioner Campos stated that he thinks it is important that the Department provides information and overview like this one to the public so that the people know that arrests are being made and that they are being made based on conduct and not based on racial characteristics.

Commissioner Marshall commended Deputy Chief Tabak for his presentation.

PUBLIC COMMENT

Meesha Monge Irizary discussed concerns regarding lack of balance.
Ace Washington discussed concerns.

PUBLIC COMMENT

Ace Washington asked that community be involved in the presentations.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong announced that on Monday, the 214th recruit class started at the Academy with 49 recruits. Chief Fong also talked about the pre-academy

program which is an overview of the test process. Chief Fong also announced that the sergeant's list has been posted and that the Department is kicking off its lateral hiring program and talked about the city employees' hiring program.

PUBLIC COMMENT

None

Commissioner Renne announced that due to the fact that the Commission has been in since 4:30 p.m. and due to the time, the rest of the calendar will be continued for next week.

ADJOURNMENT

Motion by Commissioner Campos, second by Commission Marshall. Approved 7-0.

Thereafter, the meeting was adjourned at 10:18 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

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YVONNE LEE
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Commissioner

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SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 17, 2007
4:45 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

SF
P45
#1
1/17/07
c.2

PLEASE NOTE EARLY START TIME

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(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

01-17-07A10:40 RCVD

3. Closed Session

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C04-005 JWA (ACTION ITEM)

   b. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-193 ALW (ACTION ITEM)

   c. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Approval of the Awards Committee Recommendation

   d. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: OCC Director Position (DISCUSSION ONLY)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 17, 2007
4:45 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
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6:00 p.m. ***(The Commission will move the agenda to Item #6 at 6:00 p.m.)***

6. Public Hearing: Pursuant to SF Admin Code 19.4(b), discussion and possible action to approve and adopt findings with respect to the proposal of the Mayor's Office of Criminal Justice for pilot installation of Community Safety Cameras at the following locations: (ACTION ITEM)

Third Street & Newcomb Avenue (4)
16th Street and Mission Street (3)
Turk Street and Taylor Street (3)
1050 McAllister Street (2)
Geneva Avenue & Mission Street (3)
24th Street and Mission Street (4)
Ellis Street and Jones Street (3)
26th Street and Shotwell Street (3)

7. Chief's Report
   a. Update on significant policing efforts by Department members
   b. Presentation of Fourth Quarter 2006 Officer-Involved Discharge Report

8. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

9. Discussion and possible action to adopt revised Department General Order 5.10, "False Alarms" (ACTION ONLY)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 17, 2007
4:45 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

10. Commission Announcements (DISCUSSION ONLY)
    a. Status of selection process for Director of the Office of Citizen Complaints

11. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

12. Adjournment

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1. The Commission will hold its Community Meeting at the Central District, Gordon J. Lau Elementary School, 950 Clay Street, San Francisco, at 6:00 p.m., on Wednesday, January 31, 2007, to hear comments from the public and Central Station Captain James Dudley concerning public protections issues in the Central District.

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
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11 Dr Carlton B. Goodlett Place, San Francisco

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47 Van Ness, 5 Fulton, 31 Balboa

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The Police Commission

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1/24/07
c. 2

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 24, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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(CLOSED SESSION: 5:00 p.m.)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session (DISCUSSION ONLY)

   a. Pursuant to Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1):
   CONFERENCE WITH LEGAL COUNSEL
   Andrew Marconi v. CCSF et al, United States District Court No. C05-1978 CW

   b. Pursuant to Government Code section 54956.9(a) and San Francisco Administrative Code section 67.10(d)(1):
   CONFERENCE WITH LEGAL COUNSEL - Existing Litigation
   Breslin et al. v. CCSF et al., First District Court of Appeal Case No. A111455

(OPEN SESSION: 5:30 p.m.)
Pledge of Allegiance; Roll Call

4. Presentation of the Controller's Audit of the Office of Citizen Complaints: Discussion and possible action to accept the Controller's report (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 24, 2007

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

7. Approval of Consent Calendar (ACTION ITEM)
   a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:
   Andrew Marconi v. CCSF et al, United States District Court No. C05-1978 CW

8. Chief's Report
   a. Budget Status for Fiscal Year 2007/2008
   b. Update on significant policing efforts by Department members
   c. Presentation of Fourth Quarter 2006 Officer-Involved Discharge Report

9. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

10. Request of the Chief of Police for approval to place the name of Officer Bryan Tuvera on the "Wall of Honor" at the Thomas J. Cahill Hall of Justice (ACTION ITEM)

11. Presentation of the Quarterly Report by the Department and the Office of Citizen Complaints regarding Policy Proposals (DISCUSSION ONLY) (Sparks Resolution)

12. Request of the Chief of Police for approval to accept and expend funds offered by the Office of Emergency Services (OES) to implement the "Operation Cease-Fire Program" and any augmentations, extensions and modifications (ACTION ITEM)

13. Request of the Chief of Police for approval to accept and expend funds offered by the Office of Emergency Services (OES) to implement the "Gun Elimination Team Program" and any augmentations, extensions and modifications (ACTION ITEM)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 24, 2007

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

14. Commission Announcements (DISCUSSION ONLY)
    a. Status of selection process for Director of the Office of Citizen Complaints

15. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

16. Adjournment

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The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 31, 2007
6:00 p.m.

CENTRAL DISTRICT
Gordon J. Lau School
950 Clay Street
San Francisco, California

SF
P45
#1
1/31/07

Pledge of Allegiance; Roll Call

1. Public Comment
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2. Chief's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

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3. OCC Director's Report (DISCUSSION ONLY)
   a. Report on the function of the Office of Citizen Complaints

4. Commission Announcements (DISCUSSION ONLY)

5. Captain James Dudley, Commanding Officer of Central Station, to address the Commission on Police Activities in the Central District (DISCUSSION ONLY)

6. Scheduling of items identified for consideration at future Commission meetings. (DISCUSSION ONLY)

7. Adjournment (ACTION ITEM)

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01-26-07

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 31, 2007
6:00 p.m.

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The Officers of Central Police Station invite you to the monthly meeting of the,

San Francisco Police Commission

6:00 PM

Wednesday

January 31,2007

Gordon J. Lau School

950 Clay Street

For further information contact Officer Phillip Welsh @ 315-2424

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 31, 2007
6:00 p.m.

CENTRAL DISTRICT
Gordon J. Lau School
950 Clay Street
San Francisco, California

Pledge of Allegiance; Roll Call

1. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

2. Chief's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

3. OCC Director's Report (DISCUSSION ONLY)
   a. Report on the function of the Office of Citizen Complaints

4. Commission Announcements (DISCUSSION ONLY)

5. Captain James Dudley, Commanding Officer of Central Station, to address the Commission on Police Activities in the Central District (DISCUSSION ONLY)

6. Scheduling of items identified for consideration at future Commission meetings. (DISCUSSION ONLY)

7. Adjournment (ACTION ITEM)

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 31, 2007
6:00 p.m.

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(Chapter 67 of the San Francisco Administrative Code)

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Accessible MUNI lines serving this location is: 30 Stockton
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JANUARY 31, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Central District, at Gordon J. Lau School, 950 Clay Street, San Francisco, at 6:15 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

Commissioner Renne welcomed the audience, thanked Commissioner Lee for putting the meeting together, and asked the Commissioners to introduced themselves.

PUBLIC COMMENT

Supervisor Aaron Peskin welcomed the Commission to the Central District and thanked the people from the community for coming and thanked Captain Dudley and the officers of Central for the work that they do.

Ms. Annie Chung, Self Help for the Elderly, thanked the Commission and the Chief in holding the meeting in the heart of Chinatown. Ms. Chung stated that she brought 20 seniors to honor and say thank you to Chief Fong.

Mr. Jack Lee Fong, Community Business Owner, thanked the Commission for having the meeting in Chinatown. Mr. Fong discussed concerns regarding the garbage and thanked Chief Fong for her leadership.

Ms. Angela Chan, Asian Law Caucus, talked about juvenile justice issues and youth mental health and discussed concerns regarding youth of color in juvenile hall. Ms. Chan discussed concerns that youth of color are being locked up instead of going to school and there should be more funding for anti-violence prevention.

Commissioner Renne announced that the Commission will call the Chief's Report since there are members of the public that needs to leave early and then go back to general public comment.

CHIEF'S REPORT

a. Review of Recent Activities

Chief Fong thanked the community members for their attendance. Chief Fong introduced members of the command staff. Present were Commander Steve Tacchini, Commander Sam Craig, Deputy Chief Charles Keohane, and Deputy Chief David Shinn.

CAPTAIN JAMES DUDLEY, COMMANDING OFFICER OF CENTRAL STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE CENTRAL DISTRICT

Captain Dudley addressed the Commission on police activities in the Central District. Captain Dudley introduced Lieutenants James Calonico, Bob Moser, and Alvin Yee. Captain Dudley talked about the geographical makeup of Central District and talked about the different crime incidents that have occurred in the Central District. Captain Dudley thanked the men and women of Central Station for their hard work.

PUBLIC COMMENT: continued

Reverend Norman Fong commended Chief Fong. Reverend Fong discussed concerns regarding the safety of seniors in San Francisco. Reverend Fong also discussed concerns regarding graffiti and abuse in SRO hotels in Chinatown. He also asked for more bilingual officers. Reverend Fong also thanked the officers of Central Station.

Ms. Angela Chew thanked the Chief and the officers of Central Station

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for working with the community. Ms. Chew also asked for more beat officers and asked for more activities and programs for youths.

Unidentified asked for emergency numbers for police interpreters so that she can communicate. Captain Dudley stated the 911 operator will refer her to a translator if she has trouble communicating and she can also go to the station where they can provide a translator.

Ms. Wendy Tran, Chinatown North Beach resident, discussed concerns regarding graffiti and asked for a more aggressive policy in arresting taggers. Ms. Tran also discussed concerns regarding gang-related youths in Chinatown and asked for more foot patrol.

Ms. Sara Win, Community Youth Center, discussed youth violence in schools and discussed some of the programs provided by the Community Youth Center. Ms. Win commended Chief Fong and the officers of Central Station.

Ms. Lee Yu Yee discussed concerns regarding crimes against seniors and asked for more foot patrol.

Ms. Nancy Lin Yee, Program Director Chinatown Child Development Center, commended the Police Department for their work with the Center and for their work with the community. Ms. Yee asked for more foot patrol and discussed concerns regarding graffiti.

Ms. Mabel Seto, Visitation Valley Community Center, commended Chief Fong for her work with the Center, discussed concerns regarding crimes against youth and would like to meet with high level command staff.

Ms. Luna Visroy, Chinese for Affirmative Action, thanked the Commission and the Department for providing language assistance for the meeting. She also talked about the language access general order that she is working with the Department. She also discussed concerns regarding safety cameras in Portsmouth Square.

Ms. MaryJane Galbiso, Bernal Heights resident, discussed concerns regarding attacks by two pittbulls and discussed concerns regarding Sgt. Herndon who is the hearing officer.

Mr. Tony Gantner, North Beach Merchants Association, commended Captain Dudley and the officers of Central for their good community policing.

Mr. Howard Woo, CAPS, commended the officers of Central Station for their help.

Ms. Karen Eckland, MGM Management Group, thanked Captain Dudley and his lieutenants for their support, and thanked Chief Fong for believing in their program.

Mr. Richard Al stated he is a senior and he feels safe in the city of San Francisco and discussed concerns regarding pickpockets. He also expressed support for safety cameras at Portsmouth Square.

Mr. Steven Dreyfus, full time musician, asked for leniency for street musicians in the city.

Ms. Wilma Pang discussed concerns regarding shoplifting.

Ms. Patty Lam discussed concerns regarding graffiti, prostitution, and drug dealing in the district. Ms. Lam asked for help from the police.

Commissioner Renne stopped public comment so that the Commission can hear from the OCC's Director.

OCC DIRECTOR'S REPORT

a. Report on the function of the Office of Citizen Complaints

Ms. Jean Field, Interim OCC Director, described the function and responsibilities of the OCC.

Mr. William Huey, OCC Investigator, described the different languages spoken by the investigators of the OCC.

PUBLIC COMMENT: continued

Unidentified discussed concerns regarding incident that happened with a bottle thrown through the window.

Mr. Po Ho, SF resident, discussed concerns regarding an incident involving racial slurs and commended the Chief and the officers of the Department.

Mr. Denzel Adams, SF resident and street musician, discussed concerns regarding being cited for performing by one officer.

Mr. Timothy Lockridge, musician, stated that playing in San Francisco is very special and it is something that should be supported.

Ms. Cindy Branden, SAFE Director, discussed programs provided by SAFE in the Chinatown area. She also commended Captain Dudley and members of Central Station.

Mr. Paul Hilt, North Beach Chamber, commended Captain Dudley and the officers of Central Station and commended the men and women of SFPD.

Commissioner Sparks thanked Captain Dudley for his presentation. Commissioner Sparks asked about statistics on part 1 crimes and felony arrests. Captain Dudley stated that he can give the Commission a more detailed statistical report. Captain Dudley stated that there is a lot of thefts, burglaries, fraud, and identity theft in Chinatown. Commissioner Sparks asked about Central works with Northern along border areas like Pine and California and Sacramento Streets. Captain Dudley stated that Central has been working with Northern Station, several neighborhood groups, the Vice Crimes Unit, the District Attorney's Office that deal with prostitution-related crimes. Commissioner Sparks asked about the Broadway corridor. Captain Dudley stated that it's the only area in San Francisco that is staffed with one sergeant and 10 officers every Friday and Saturday night. Captain Dudley stated that there is an over saturation of entertainment and liquor license. There's clubs that want to make a lot of money quickly so they bring in kids 18 and up, people operating out of their license by bringing in under 21s into the bars. The Department is addressing all these things and is asking other agencies to step up and help.

Commissioner Lee thanked Captain Dudley and the officers of Central Station for the ride-along. Commissioner Lee also asked the Chief for a press report or press release to let the community know that the SFPD does not conduct on raids regarding illegal immigrants.

Commissioner Campos stated that street musicians should not be cited and should be encouraged and promote the arts. Captain Dudley stated that it is the law and they should be regulated. Captain Dudley stated that there is a plan underway by the Port where they've asked the Department to do additional enforcement for encroachment on port property, on sidewalks outside of stores and storefronts.

Commissioner Marshall asked about crimes in Chinatown and asked if these are crimes committed by people coming in from different areas. Captain Dudley stated that a lot of the crimes like assaults and robberies in the Broadway area are coming from different areas in the Bay Area and/or different areas of the city.

Commissioner Renne thanked Captain Dudley and his staff for hosting the meeting.

COMMISSION ANNOUNCEMENTS

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Renne asked for scheduling a noon meeting on February 7th to talk about an interim director for the OCC and interviews for policy analysts.

Commissioner Renne scheduled February 28th for a joint meeting with the Housing Authority.

ADJOURNMENT

Motion by Commissioner Marshall, second by Commissioner Lee to adjourn the meeting.

Thereafter the meeting was adjourned.

_____

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 7, 2007
Beginning at 12:00 p.m.

CITY HALL
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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(The Commission will recess from approximately 5:00 p.m. until 5:30 p.m. at which time it will reconvene in Room 400.)

PLEASE NOTE EARLY START TIME
(CLOSED SESSION: Room 34)

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Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

02-05-07A09:00 RCVD

3. Closed Session

   a. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
   (DISCUSSION & POSSIBLE ACTION)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: Interim OCC Director
   (DISCUSSION & POSSIBLE ACTION)

   c. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code section 67.10(b):
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police
   Review of findings and decision regarding return of officers to duty following officer-involved shooting, (OIS Case No. 07-001)

   d. Pursuant to Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1):
   CONFERENCE WITH LEGAL COUNSEL
   Andrew Marconi v. CCSF et al. United States District Court No. C05-1978 CW

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 7, 2007

CITY HALL
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

(OPEN SESSION: 5:30 p.m. in Room 400)

Pledge of Allegiance; Roll Call,

4. Possible report on action taken in Closed Session, pursuant to Government Code section 54757.1 and S.F. Administrative Code section 67.12(b). (ACTION ITEM)

5. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

6. Approval of Consent Calendar (ACTION ITEM)
   a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:
   Andrew Marconi v. CCSF et al, United States District Court No. C05-1978 CW

7. Public Comment
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8. Chief's Report
   a. Update on significant policing efforts by Department members

9. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

10. Approval of the minutes for the meetings of November 29th, December 6th & 13, 2006, January 3rd and 10, 2007 (ACTION ITEM)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 7, 2007

CITY HALL
#1 Dr. Carlton B. Goodlett Place
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11. Commission Announcements (DISCUSSION ONLY)
    a. Early Intervention System Report will be presented on February 14, 2007.

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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FEBRUARY 7, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 34, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 12:37 p.m., in Closed Session, and reconvened at 5:43 p.m., in Room 400, for its Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Veronese arrived at 3:15 p.m. Commission Lee arrived at 3:47 p.m. Commissioner DeJesus arrived at 4:16 p.m.)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner Campos. Approved 4-0.

CLOSED SESSION

a. PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
b. PERSONNEL EXCEPTION: Public Employee appointment: Interim Director
c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police: Review of findings and decision regarding return of officers to duty following officer-involved shooting (OIS Case No. 07-001)
d. CONFERENCE WITH LEGAL COUNSEL
Andrew Marconi v. CCSF et al., United States District Court No. C05-1978 CW

The Commission recessed at 5:25 p.m. and reconvened in Room 400 at 5:30 p.m. in Open Session.

PUBLIC COMMENT

Taken out of order.

Andy Thornley, SF Bicycle Coalition, discussed concerns regarding a bicyclist being hit by a truck and the driver not being charged.

Meesha Irizarry, Idriss Stelley Foundation, discussed report regarding racially bias policing in San Francisco.

Jonathan Winston, on behalf of bicyclist, asked that the Chief and the Commission come up with some kind of resolution to instruct officers to investigate cases like these.

Rufino DeLeon discussed concerns regarding cannabis clubs.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Taken out of order.

Ms. Jean Field stated that during the transition period is trying to take care of any immediate problems as well as start implementing some of the recommendations made by the Controller's report.

Mr. Charles Galman stated that the OCC offices is scheduled to move

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to 25 Van Ness in mid April. He is meeting with other city agencies to facilitate the move. Mr. Galman stated that the OCC will move to 25 Van Ness at Van Ness and Market. The OCC will occupy the sixth and seventh floors of 25 Van Ness. He stated that there will be more space but the cons are that there is limited parking. The OCC currently has four vehicles which will be reduced to two. Mr. Galman stated that one of the benefits is that hopefully the agency will be more accessible to citizens who wish to come forth and file complaints.

Commissioner Campos asked how the public is being alerted about the move. Mr. Galman stated that he cannot answer how the public will be notified.

Commissioner Veronese asked if anybody has done a need assessment on the move and the location that OCC is going to. Commissioner Veronese asked how suitable this location is and stated that he would like to hear from the OCC if this location is suitable and if it is not, what are the needs that need to be met in order to make it suitable.

Ms. Field talked about the status of the OCC budget and that the budget will be put on the calendar for next week.

Commissioner Sparks suggested that between now and June to come up with best practices, public input, and analysis from the Commission as to whether or not the Controller's report did/did not come up with the correct staffing and a better evaluation overall as opposed to just reacting specifically to the Controller's report. Commissioner Sparks would also like to organize roundtable with people in the agency and the Commission and would like a public hearing to get input from the public.

Commissioner Campos would like a budget comparison between different agencies that have the same oversight as San Francisco.

PUBLIC COMMENT

Meesha Irizarry discussed concerns of centralization.
Steve Johnson, POA, discussed concerns regarding parking at the new location and discussed concerns regarding the Controller's audit.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong talked about the budget process and updated the Commission as to the language access general order. Chief Fong also talked about arrests made by members of the Department.

Commissioner Campos asked what role does SFPD have in INS raids. Chief Fong stated that the City of San Francisco has in the Administrative Code Section 12(H) a policy that clearly states that San Francisco is a city of refuge and that San Francisco is a sanctuary city. The Police Department has a specific general order that addresses that same policy and it gives provisions to the members of the Department in terms of what the members can and cannot do. The officers enforce criminal laws and do not enforce immigration laws.

Commissioner Veronese asked if the Department keeps statistics on crimes committed by people who do not leave in San Francisco and would like to see them. Chief Fong stated that with the way the information is put into the system, a person would almost have to hand count the numbers. Chief Fong stated that the Department is trying to figure out how to get that data with the new system.
PUBLIC COMMENT

Meesha Irizarry discussed concerns regarding immigrants.

APPROVAL OF THE MINUTES FOR THE MEETINGS OF NOVEMBER 29TH, DECEMBER 6TH, AND 13, 206, JANUARY 3rd AND JANUARY 10, 2007

Motion by Commissioner Campos, second by Commissioner Marshall. Approved 7-0.

COMMISSION ANNOUNCEMENTS

a. Early Intervention System Report will be presented on February 14, 2007

Commissioner Renne announced that next week the Commission will be discussing the Early Intervention System and that the meeting will be starting at 4:00 p.m.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Renne announced that on the 21st the Commission will consider the Controller's Audit of the OCC.

Commissioner Sparks would like a presentation or some kind of evaluation as to what the success rate is in investigations. Commissioner Sparks also asked about a presentation of crime statistics other than homicides particularly violent crimes for 2006 as compared to 2005 to give people an idea of what the crime rate is in their individual neighborhoods.

Commissioner Campos would like an update on the status of negotiations with the POA. Commissioner Campos would also like information on enforcement of marijuana laws. Commissioner Campos would like criteria on when a local investigation becomes a federal investigation.

Commissioner Marshall asked about arrest rates for African American in San Francisco. Commissioner Sparks stated that the report should be done by March 1st.

CLOSED SESSION continued

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None.

VOTE TO RECONVENE TO CLOSED SESSION

Motion by Commissioner Campos, second by Commissioner Marshall. Approved 7-0.

a. PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
b. PERSONNEL EXCEPTION: Public Employee appointment: Interim Director
c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police: Review of findings and decision regarding return of officers to duty following officer-involved shooting (OIS Case No. 07-001)
d. CONFERENCE WITH LEGAL COUNSEL
Andrew Marconi v. CCSF et al., United States District Court No. C05-1978 CW

OPEN SESSION: 7:57 p.m.

(All Commissioners present)

POSSIBLE REPORT ON ACTION TAKEN IN CLOSED SESSION

Commissioner Renne announced that the Commission voted to appoint Ms. Jean Field as OCC's Interim Director.

APPOINTMENT OF INTERIM DIRECTOR FOR THE OFFICE OF CITIZEN COMPLAINTS (OCC)

WHEREAS, Director Kevin Allen submitted his resignation on January 3, 2007 effective close-of-business February 7, 2007; therefore, be it

RESOLVED, that the Police Commission hereby appoints Ms. Jean Field as Interim Director of the Office of Citizen Complaints.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Veronese
NAYS: Commissioner Sparks

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Campos, second by Commissioner Marshall for non disclosure. Approved 7-0.

APPROVAL OF CONSENT CALENDAR

a. **Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:**
Andrew Marconi v. CCSF et al., United Stated District Court No. C05-1978 CW

Motion by Commissioner Marshall, second by Commissioner DeJesus to approve the Consent Calendar. Approved 7-0.

RESOLUTION NO. 17-07

ANDREW MARCONI v. CCSF et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Andrew Marconi v. CCSF et al," in United States District Court No. C05-1978 CW, be, and the same is hereby approved.

Date of Incident: March 7, 2004

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

ADJOURNMENT

Motion by Commissioner Campos, second by Commissioner DeJesus. Approved 7-0.

Thereafter, the meeting was adjourned at 7:59 p.m.

_____
Sergeant Joseph Reilly
Secretary
San Francisco Police Commission
1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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YVONNE LEE
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THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 14, 2007
4:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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(CLOSED SESSION: 4:00 p.m. in Room 400)

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Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session
   a. Pursuant to Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d):
      CONFERENCE WITH LEGAL COUNSEL: Threatened Litigation
      "Early Intervention System" (DISCUSSION ONLY)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
      PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
      (DISCUSSION & POSSIBLE ACTION)

(OPEN SESSION)

Pledge of Allegiance; Roll Call

4. Possible report on action taken in Closed Session, pursuant to Government Code section 54757.1 and S.F. Administrative Code section 67.12(b). (ACTION ITEM)

5. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

6. Discussion and possible action to adopt revised Department General Order 3.19, "Early Intervention System" (ACTION ITEM)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 14, 2007

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

7. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

8. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

9. Request of the Chief of Police for approval to adopt a resolution requesting the Board of Supervisor's approval to accept and expend funds to implement the "California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)" offered by the Office of Emergency Services, and any augmentations, extensions and modifications (ACTION ITEM)

10. Discussion and possible action to approve the Department's Budget for fiscal year 2007-2008 (ACTION ITEM)

11. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

12. Discussion and possible action to approve the OCC's Budget for fiscal year 2007-2008 (ACTION ITEM)

13. Commission Announcements (DISCUSSION ONLY)
   a. Assignment of disciplinary case no. C06-227 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner
   b. Assignment of disciplinary case no. C07-014 SM to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner

14. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

15. Adjournment (ACTION ITEM)

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
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(Chapter 67 of the San Francisco Administrative Code)

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The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

(Amended)
REGULAR MEETING
WEDNESDAY, FEBRUARY 14, 2007
4:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
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(CLOSED SESSION: 4:00 p.m. in Room 400)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session
   a. Pursuant to Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d):
      CONFERENCE WITH LEGAL COUNSEL: Threatened Litigation
      "Early Intervention System" (DISCUSSION ONLY)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
      PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
      (DISCUSSION & POSSIBLE ACTION)

(OPEN SESSION)

Pledge of Allegiance; Roll Call

4. Possible report on action taken in Closed Session, pursuant to Government Code section 54757.1 and S.F. Administrative Code section 67.12(b). (ACTION ITEM)

5. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

6. Vote to disclose any or all of the discussion held by the Commission on Wednesday, February 7, 2007 in closed session with respect to agenda item 3.d., a Conference with Legal Counsel regarding the matter of Andrew Marconi vs. CCSF et al, United States District Court No. C05-1978 CW. (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

(Amended)
REGULAR MEETING
WEDNESDAY, FEBRUARY 14, 2007

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
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7. Discussion and possible action to adopt revised Department General Order 3.19, "Early Intervention System" (ACTION ITEM)

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9. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

10. Request of the Chief of Police for approval to adopt a resolution requesting the Board of Supervisor's approval to accept and expend funds to implement the "California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)" offered by the Office of Emergency Services, and any augmentations, extensions and modifications (ACTION ITEM)

11. Discussion and possible action to approve the Department's Budget for fiscal year 2007-2008 (ACTION ITEM)

12. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

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(Amended)
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15. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

16. Adjournment (ACTION ITEM)

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FEBRUARY 14, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 4:19 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Campos arrived at 4:32 p.m. Commissioner DeJesus arrived at 4:38 p.m. Commissioner Veronese arrived at 5:07 p.m. and was excused at 6:40 p.m. Commissioners Lee and Marshall were excused at 8:00 p.m.)

OPEN SESSION

COMMISSION ANNOUNCEMENTS (Taken out of order)

a. Assignment of disciplinary case no. C06-227 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner (Assigned to Commissioner Campos, Res. 20-07)

b. Assignment of disciplinary case no. C07-014 SM to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner (Assigned to Commissioner Renne, Res. 21-07)

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SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Taken out of order.

Commissioner Renne stated that the joint meeting with the Housing Authority for March 28th.

The Commission will meet in the Ingleside District in April, the Southern in May, and Northern in June.

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REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO ADOPT A RESOLUTION REQUESTING THE BOARD OF SUPERVISOR'S APPROVAL TO ACCEPT AND EXPEND FUNDS TO IMPLEMENT THE "CALIFORNIA MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM (CAL-MMET)" OFFERED BY THE OFFICE OF EMERGENCY SERVICES, ANY AUGMENTATIONS, EXTENSIONS AND MODIFICATIONS

Motion by Commissioner Sparks, second by Commissioner Marshall. Approved 7-0.

RESOLUTION NO. 19-07

APPROVAL TO AUTHORIZE THE CHIEF OF POLICE TO ACCEPT AND EXPEND FUNDS FROM THE OFFICE OF EMERGENCY SERVICES (OES) TO IMPLEMENT THE "CALIFORNIA MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM (CAL-MMET)" AND ANY AUGMENTATIONS, EXTENSIONS AND MODIFICATIONS

RESOLVED, that the Police Commission hereby approves to authorize the Chief of Police to accept and expend funds from the Office of Emergency Services (OES) to implement the "California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)" and any augmentations, extensions and modifications.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner Sparks. Approved 6-0.

CLOSED SESSION (4:39 p.m.)

a. **CONFERENCE WITH LEGAL COUNSEL - Threatened Litigation**
"Early Intervention System"
b. **PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst**

Reconvened to Open Session

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

POSSIBLE REPORT ON ACTION TAKEN IN CLOSED SESSION

and

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall for non disclosure. Approved 7-0.

VOTE TO DISCLOSE ANY OR ALL OF THE DISCUSSION HELD BY THE COMMISSION ON WEDNESDAY FEBRUARY 7, 2007 IN CLOSED SESSION WITH RESPECT TO AGENDA ITEM 3.D, a CONFERENCE WITH LEGAL COUNSEL REGARDING THE MATER OF ANDREW MARCONI v. CCSF ET AL., UNITED STATES DISTRICT COURT NO. C05-1978 CW

Motion by Commissioner DeJesus, second by Commissioner Marshall to disclose. Approved 7-0.

Commissioner Campos stated that the reason the Commission voted to disclose a summary of the Commission's conclusion is because of a misconception by the public that, with respect to this matter where a lawsuit was filed and allegations of misconduct by the police department were made, that somehow the public may have been left with the impression that the Commission did not instruct the Department to conduct an internal investigation. The Commission did in fact voted unanimously to instruct the Department to conduct an internal investigation.

Commissioner Sparks announced that one of the supervisors introduced a bill to the Board of Supervisors which suggests that when there's a lawsuit filed against a police officer's misconduct, there will be an automatic investigation opened with the OCC to investigate the matter.

Commissioner Marshall announced that the Commission also asked the

City Attorney to look into the matter of civil suits triggering an investigation.

Commissioner Veronese stated that the resolution before the Board should also be before the Commission and should be acted on as soon as possible to make it a policy within the Department that any allegation made in a civil complaint automatically trigger an investigation by either the Department or the OCC.

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 3.19, "EARLY INTERVENTION SYSTEM"

Deputy Chief Keohane, Administration, presented the revised DGO 3.19, "Early Intervention System." Chief Keohane explained the purpose of this order is to present an early intervention system and its purpose it to identify possible problematic behaviors and address those in a non disciplinary manner before they become problematic and turn into a discipline-type case.

Commissioner DeJesus thanked all the parties involved in bringing the this DGO in front of the Commission tonight.

Commissioner Campos asked that this item be put over for more discussion and more input from the public and the stakeholders. Commissioner Campos expressed concerns about access to data in a timely fashion. Chief Keohane explained that as the Department moves forward identifying where data has been stored and putting it together in an electronic format so that the Department will be prepared when the Early Intervention System is up and running and that process have already begun. Commissioner Campos asked about 148s and 243s being included as indicators and what it would be for them to be associated factors. Chief Keohane stated that flags will not go up for the 148s but if the officer get three uses of force and each one of those has a 148 charge associated with it, it will come to the Department's attention.

Commissioner Marshall thanked Chief Keohane for the work that he is doing in regards to the EIS system.

Commissioner Sparks thanked Commissioner DeJesus for the time she has put in to the EIS System.

PUBLIC COMMENT

Mark Schlosberg, ACLU, discussed concerns regarding the EIS system.
Gary Delagnes, POA President, discussed concerns regarding the EIS system and stated the POA has no disagreement with the concept. Commissioner Sparks asked that the POA submit comments in writing.
Samara Marion, OCC, discussed concerns regarding the EIS system.
John Tennant, General Counsel for POA, discussed concerns regarding the EIS system and stated that the POA will not contest in the implementation of this particular EIS in its current form given representations by the City that they will allow the POA to preserve its meet-and-confer contentions and that this will not result in adverse actions against officers.

Motion by Commissioner Campos to continue this matter to February 21st. Second by Commissioner Sparks. Approved 6-0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE OCC'S BUDGET FOR FISCAL YEAR 2007-2008

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE DEPARTMENT'S BUDGET FOR FISCAL YEAR 2007-2008

Chief Fong addressed the Commission regarding the budget and discussed overtime funding for use for foot patrols in the Alemany development. Chief Fong stated that she received a request from the community to include adequate funding in this year's budget to continue the foot patrol program within the Alemany development. Chief Fong stated that the budget being proposed is the opportunity for each captain to fill up to two spots on a daily basis as part of this community policing initiative.

PUBLIC COMMENT

Joseph Smoot, Bernal Heights Community Center, thanked the Chief for supporting the community and explained the program of community policing.

Frank Dellum, Alemany resident, stated that there has been great improvement and commended Chief Fong and the officers for doing a great job.

Georgia Willett, Alemany resident, stated how things have improved since the program started.

Betty Hudson, Alemany/Bernal Heights resident, thanked Chief Fong for all the support she is giving the community.

Denise Jones, 100 block of Elsie Street, discussed concerns regarding robberies in the neighborhood and asked for more police for the Ingleside District and read a letter from a friend who was robbed in the neighborhood.

Unidentified discussed concerns regarding robberies and concerns for kids that are in the neighborhood.

Mike Sandias, Bernal Heights resident, asked for more cops for the neighborhood.

Unidentified, Bernal Heights resident, asked for more cops for the neighborhood.

John Perry, Bernal Heights resident, discussed concerns regarding attack on a young woman and concerns regarding response time and asked for more staffing for Ingleside.

Commissioner Sparks asked for more information from Mr. Ken Bukowski and asked that this item be calendared for next week.

Commissioner Renne asked that Commissioner Sparks work with Mr. Bukowski in regards to the budget.

Motion by Commissioner Sparks, second by Commissioner Campos to continue the budget for next week's meeting. Approved 4-0.

PUBLIC COMMENT

None

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong discussed possible legislation from the Board regarding when a claim is received by the Department. Chief Fong stated that she had conversation with the Deputy City Attorney and took specific steps and today reviewed a unit order so there is a policy in place now within the Department.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

and

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE OCC'S BUDGET FOR FISCAL YEAR 2007-2008

Ms. Jean Field, Interim OCC Director, would like more concrete procedures in regards to claims talked about by Chief Fong.

Motion by Commissioner Renne to put the budget over for next week, second by Commissioner Campos. Approved 4-0.

Mr. Charles Galman talked about action plan for the OCC's upcoming move to 25 Van Ness Avenue.

Commissioner Sparks stated that she, last week, strongly opposed the process upon which the interim director was selected. Commissioner Sparks felt that there was no public discourse about the process, no public comment about the process; the Commission never saw a resume from Ms. Field, never interviewed or talked to Ms. Field about the process. Commissioner Sparks stated that her comments is more about the process as opposed to the results of the process.

Commissioner Campos stated that he respectfully disagree with Commissioner Sparks.

Commissioner DeJesus stated that she respectfully disagree with Commissioner Sparks.

Ms. Field thanked the Commissioners for their comments and stated that she understands about process and does not take any of those things personally and stated that she is committed to helping the agency through the transition period.

PUBLIC COMMENT
None

ADJOURNMENT

Motion by Commissioner Campos, second by Commissioner DeJesus to adjourn the meeting. Approved 4-0.

Thereafter, the meeting was adjourned at 8:55 p.m.

Joseph Reilly

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 21, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

Pledge of Allegiance; Roll Call

1. Discussion and possible action to adopt revised Department General Order 3.19, "Early Intervention System" (ACTION ITEM)

(CLOSED SESSION: 6:00 p.m)

2. Public Comment on all matters pertaining to Closed Session.

3. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

4. Closed Session
   a. Pursuant to Government Code section 54957.6 and San Francisco Administrative Code Section 67.10(e):
   LABOR NEGOTIATIONS: Consultation with the City's Labor Negotiation Team: Status of MOU negotiations with the San Francisco Police Officers Association (DISCUSSION ONLY)

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(OPEN SESSION)

Roll Call.

5. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

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6. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
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Commissioner

DR JOE MARSHALL
Commissioner

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Commissioner

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Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, FEBRUARY 21, 2007

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

7. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

8. Discussion and possible action to approve the Department's Budget for fiscal year 2007-2008 (ACTION ITEM)

9. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

10. Discussion and possible action to approve the OCC's Budget for fiscal year 2007-2008 (ACTION ITEM)

11. Commission Announcements (DISCUSSION ONLY)
    a. Progress report on search for Director of the Office of Citizen Complaints

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment (ACTION ITEM)

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: DONNA HALL, ADMINISTRATOR, CITY HALL, ROOM 244, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689; OFFICE (415) 554-5163; E-MAIL: Donna Hall@ci.sf.ca.us. COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.ci.sf.ca.us/bdsupvrs/sunshine

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

SAN FRANCISCO POLICE
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

Communication accessibility services; including sign language Interpreters or computer aided real time captioning will be made available upon advance request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406(tty), at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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Meeting agendas and other print materials will be made available in alternate formats (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

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The proceeding will be held at: City Hall, Room 400, #1 Dr. Carlton B. Goodlett PLace

Accessible MUNI lines serving this location is: 49 Van Ness/Mission
47 Van Ness, 5 Fulton, 31 Balboa
For information about MUNI service call 923 6142

The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 (v) or 553-9194 (tty)

FEBRUARY 21, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. B. Goodlett Place, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Campos arrived at 5:30 p.m. Commissioner Veronese arrived at 6:15 p.m.)

PUBLIC COMMENT

None

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OCC DIRECTOR'S REPORT

a. Review of Recent Activities

and

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE OCC'S BUDGET FOR FISCAL YEAR 2007-2008

Ms. Jean Field, Interim OCC Director, presented the OCC's budget for fiscal year 2007-2008.

Commissioner DeJesus noted that there is no spot for the director's classification and for salary and that it should be reflected on the budget even though the figures and the numbers and classification is still unknown.

Commissioner Campos asked for figures for the director's position. Ms. Field stated that she will meet with Mr. Bukowsky about the director's position. Commissioner Campos asked about outreach in the budget. Ms. Field stated that one of the position they are hiring will be for outreach coordinator.

Commissioner Sparks asked if this budget will fulfill mandated function of the OCC. Ms. Field stated that yes, she believe it is.

Commissioner DeJesus asked about the 8177 position. Ms. Field stated that she believes that someone with a law background because, not only for litigation, but for case review.

Commissioner Renne stated that she does not think that an attorney should be hired to do policy work at this time. Commissioner Renne stated that she believes that the legal staff of the OCC needs to be greatly improved and get the core function of the OCC truly functional and that means litigation.

Commissioner DeJesus suggested to flag the budget to reflect the position for OCC Director and change the policy work for the attorney to litigation.

PUBLIC COMMENT

Jeannette Burger discussed concerns regarding pay raise for the OCC Director.

Kevin Martin, POA Vice President, discussed concerns regarding the Controller's audit.

Motion by Commissioner DeJesus with amendments, second by Commissioner Campos. Approved 7-0.

RESOLUTION NO. 24-07

APPROVAL OF THE OCC BUDGET FOR FISCAL YEAR 2007-2008

RESOLVED that the Police Commission hereby approves the OCC budget for fiscal year 2007-2008.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 3.19, "EARLY INTERVENTION SYSTEM"

Deputy Chief Keohane presented Department General Order 3.19, "Early Intervention System."

Commissioner Campos discussed his concerns regarding the EIS.

Commissioner Sparks stated that this has been going on too long and that this needs to be expedited and that the Department needs to put all available resources into this. Commissioner Sparks stated that the Department needs to ask the Board for whatever resources needed to get this implemented as quickly as possible.

Commissioner Lee asked if the committee would consider a non police person on the panel. Commission Lee stated that that would be the best way to add transparency and increase public confidence in the EIS system and the overall police conduct.

Commissioner Veronese asked about the POA agreement. Mr. Tennant explained that the POA agrees only to challenge changes to the document and not anything else.

Commissioner Campos stated that he is not fully satisfied that the Department is where it needs to be.

PUBLIC COMMENT

Unidentified would like to see it come to conclusion.
Mark Schlosberg, ACLU, stated that the order as presented is an improvement but it could be better.

Motion by Commissioner Marshall, second by Commissioner Lee to approve Department General Order 3.19. Approved 6-1.

AYES: Commissioner Renne, DeJesus, Lee, Marshall, Sparks, Veronese
NAYS: Commissioner Campos

RESOLUTION NO. 22-07

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 3.19, "EARLY INTERVENTION SYSTEM"

RESOLVED, that the Police Commission hereby adopts revised Department General Order 3.19, "Early Intervention System," as stated below:

EARLY INTERVENTION SYSTEM

I. POLICY

The San Francisco Police Department's members are its greatest asset. The Department has a responsibility to its members and the community to identify and assist members who show symptoms of job stress and/or personal problems. Such symptoms may be exhibited in problematic performance behaviors.

The San Francisco Police Department's Early Intervention System (EIS) is a structured system that identifies and manages behaviors that result in performance related problems by individual members. The intent of this system is to provide non-disciplinary intervention, whenever possible, to assist our members in their professional development in order to provide the highest level of service and satisfaction to the public.

It is the policy of the Department to provide for the protection and confidentiality of the EIS records maintained by the Department that are peace officer personnel records.

II. DEFINITIONS

A. EIS/SYSTEM DEFINED. Early Intervention System.

B. INDICATOR DEFINED. Factors tracked in EIS are given a numerical point to allow for a compilation scoring. This total point score will be the basis for comparison of members within their peer group. Numerical points begin from the date of the first indicator entry; time is calculated on a rolling basis.

C. ASSOCIATED FACTORS DEFINED. Once a member has surpassed indicator thresholds, all items listed under associated factors will be reviewed in order to provide a comprehensive review of the member in question.

D. THRESHOLD DEFINED. Aggregate value(s) of indicators that would trigger EIS review.

E. INTERVENTION DEFINED. A proactive management tool intended to improve the efficiency of individual members and the Department as a whole.

F. PERFORMANCE REVIEW DEFINED. A performance review, for the purposes of this order, is defined as an informal examination of all aspects of a member's work, with an emphasis on the manner in which the member performs job tasks and how that manner may contribute to EIS Indicator Entries.

G. COUNSELING DEFINED. For the purposes of this order, personnel counseling is defined as a process in which a command or supervisory officer meets with a member in a non-punitive setting to discuss the member's performance. Counseling sessions employ techniques designed to reinforce good performance, improve poor performance, and when appropriate, correct behaviors that precipitate or contribute to EIS Indicator Entries. The counseling defined in this order is intended to be a positive tool to assist members in reaching a higher level of effectiveness.

H. TRAINING DEFINED. Training is a non-punitive tool used to make members more efficient by providing instruction. Training can be in-house or outside training, specific to the needs of the member and the Department.

I. EAP/BSU REFERRAL DEFINED. Supervisory or self-initiated referral

to Employee Assistance Program or Behavior Science Unit.

J. PERFORMANCE IMPROVEMENT PLAN DEFINED. A written performance improvement plan, agreed upon by the member, the reviewing supervisor and the member's commanding officer, designed to reduce or eliminate identified behaviors that contribute to EIS Indicator Entries. A performance improvement plan must describe the behaviors to be addressed, actions designed to change those behaviors, measures to enable both the member and supervisor to gauge progress and a time-line for reaching the objective of changing, moderating, or eliminating the behavior(s). The plan, once agreed to by member and supervisor, shall be placed in the member's PIP folder (or Personnel File). Once the time period of the plan has expired, the supervisor shall write a memorandum to the member's commanding officer describing the outcome of the plan and recommending further action, if warranted. Completed performance improvement plans shall be retained in the member's PIP folder for six months after completion and then forwarded to the Personnel Section for filing. If the member subject to the review does not have a PIP folder, the supervisor shall document the review in a memorandum to his/her Commanding Officer. Memoranda documenting such reviews shall be retained in a member's Personnel File. Successfully completed performance improvement plans shall be placed in a sealed envelop at such time that the affected member has had no activity in the EIS System that rises to the level of requiring a performance review for two years. Sealed envelopes will be opened only where required to comply with a court or administrative order or process, or where otherwise necessary to comply with a legal mandate.

K. REASSIGNMENT DEFINED. The Chief of Police or designee may determine that temporarily reassigning a member who has been identified as reaching a threshold is an appropriate means of intervention. Reassignment is an intervention option that will be used only when absolutely necessary for the welfare of the member and the Department.

L. POST INTERVENTION MONITORING DEFINED. Follow-up to determine the behavioral patterns. Also, to reassess additional intervention needs and to ensure the facilitation of any additional intervention needs to further assist a member's success.

M. DISCIPLINE DEFINED. Punishment intended to correct inappropriate behavior. For purposes of the EIS, cases will only be forwarded for discipline when intervention has been ineffective or when the member refuses to cooperate in the intervention process.

N. DAILY REVIEW. On a daily basis, supervisors will review the EIS system, during their tour of duty, for members under their supervision.

III. EARLY INTERVENTION SYSTEM TRACKING

A. The EIS shall identify and track the following indicators:

1. Use of force as required by DGO 5.01
2. Officer Involved Shootings
3. Officer Involved Discharges
4. OCC Complaints
5. MCD Complaints

6. EEO Complaints

7. Civil Suits

8. Tort Claims

9. On Duty Accidents

10. Vehicle Pursuits

OCC or MCD complaints that are determined to be "proper conduct" or "unfounded" shall not be counted as indicators.

B. The EIS shall also identify and track the following associated factors:

1. Citizen initiated compliments and commendations
2. Department commendations and awards
3. Arrest by officers
4. Citations by officers
5. Motor vehicle stops
6. Pedestrian stops
7. Training history
8. Voluntary overtime worked
9. Discretionary time off
10. Sick time usage not protected by federal, state or local law
11. Principal participant in a critical incident
12. Criminal cases not filed or dismissed due to documented concerns with a member's conduct, as provided by the District Attorney's Office.
13. Charges of resisting, obstructing or delaying a police officer.
14. Charges of assault on a police officer.

C. The EIS is a non-disciplinary system that is designed to improve the performance of the Department and its members through coaching, training and types of professional development as described in this order and the EIS Procedures Manual.

The EIS System shall not be accessed or used for the purpose of discipline, promotion, or when a member requests a transfer or special assignment, provided that information that exists outside of and separate from the EIS System may be accessed outside of the EIS System and used for the purpose of discipline, promotion, or when a member requests a transfer or special assignment where appropriate and consistent with Department policies and procedures.

Allegations that Section III©) has been violated may be addressed through dispute-resolution and/or appeals processes established by Charter or ordinance that apply by their terms to the disputed action. This paragraph is not intended to expand or restrict any existing administrative or legal remedies.

EARLY INTERVENTION SYSTEM INDICATOR ENTRIES

A. The early intervention system is established to identify and evaluate the behavior of members who have received:

1. Five (5) or more EIS Indicator Points, or three (3) or more citizen complaints (OCC) within a six month period.

2. Six (6) or more EIS Indicator Points, or four (4) citizen complaints (OCC), within one year.

3. Three (3) or more documented uses of force, as mandated by General Order 5.01, within a three month period.

4. Involvement as a principal in an officer involved shooting or discharge.

Each indicator tracked in the system is given one specific point. The member's score will be the basis for comparison to members within similar job assignments.

If a member is involved in an incident where multiple points could be accrued, only one point value will be counted.

Once the system has been in use, thresholds may be modified to make the best use of the analysis capabilities of the system.

Indicator points and thresholds, including any adjustments recommended by the EIS Board and approved by the Police Commission, shall be contained in the EIS Procedures Manual.

B. EARLY INTERVENTION PERFORMANCE REVIEW. The Early Intervention System involves a two-step approach. The EIS Unit, and a member's supervisor during their daily review, will conduct an initial review of all members who exceed the stated thresholds. Supervisors may conclude that a pattern of at-risk behavior does not exist and forward their finding to the EIS Unit through their commanding officer. The EIS Unit may concur that a pattern of at-risk behavior does not exist and that corrective action is not necessary. Conversely, the EIS Unit may not concur with the supervisor's finding that a pattern of at-risk behavior does not exist; the EIS Unit will electronically return the name(s) of the member(s) to the respective commanding officer, who shall ensure that the member's supervisor engages in a performance review and, if appropriate, initiate intervention with the member. Further, the commanding officer shall ensure that the supervisor electronically transmits a report within 21 days to the EIS Unit, indicating what type of intervention has taken place. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a follow-up report at three months and at one year after the initial intervention.

V. EIS PANEL BOARD MEMBERS

A. The Deputy Chief of Administration is responsible for the operation of the EIS and for reports to the EIS Board, the Chief of Police, and the Police Commission.

B. The Deputy Chief of Administration shall serve as Chairperson for the EIS Board.

C. The EIS Board will consist of the following individuals.

1. Deputy Chief of Administration (Chairperson)
2. Deputy Chief of Field Operations
3. Commanding Officer of Risk Management
4. Commanding Officer of the Training Division
5. Officer in Charge of the EIS Unit
6. Officer in Charge of the EAP/BSU Unit
7. POA Representative
8. OCC Representative

D. The board will meet on the first Wednesday of every quarter at 1000 hours at the Hall of Justice, Room 551, to review aggregate information for thresholds surpassed during the previous quarter. In order to encourage transparency in the review of the aggregate information of EIS, the board meetings shall be open to the public.

E. The Chairperson may designate a replacement in his/her absence. The number of board members needed for a quorum will be five, and consist of at least three Department members, with the rank of lieutenant or higher.

F. The board is an advisory panel; as such, on a quarterly basis, the board will review EIS data on an aggregate basis. The board's primary functions are as follows:

1. Review EIS data for identified patterns of successes or ineffectiveness resulting from intervention efforts of supervisors and commanding officers;
2. Make recommendation(s) and/or suggestion(s) to the administrative staff regarding the use of alternate intervention strategies that may be useful to supervisors and commanding officers.
3. Review the total number of interventions for the quarter, the types of interventions employed, and the effectiveness of those interventions.
4. Determine future direction, needs, and development for the EIS program, including modifications to the EIS.
5. Review new trends and thresholds as recommended by the EIS administrative staff.
6. Review quarterly and annual resorts prepared by the OIC of the EIS Unit.
7. Review and recommend changes of relevant policies to the Police Commission.

VI. PROCEDURES FOR INTERVENTION

A. EIS PROCEDURES. On a daily basis, the EIS Unit will review the system to determine if any member(s) has surpassed a threshold. The EIS Unit will conduct an initial performance review of the surpassed indicators and associated factor information to determine if it appears that a pattern of at risk behavior exists. For those which a pattern appears probable, the EIS Unit will electronically transmit the information to the member's commanding officer, for further review and intervention by the member's immediate supervisor. On a quarterly

basis, the Officer-in-Charge of the EIS Unit will forward the aggregate number of members who have breached thresholds, along with information relative to the categories surpassed and types of interventions employed to the DC of Administration for distribution to the EIS Board. Also, on a quarterly basis, the Officer-in-Charge of the EIS Unit will forward the names of members who have surpassed the system indicator and associated factor information, and supervisor's performance review and/or intervention documentation to the Captain of Risk Management and DC of Administration for their review. The Officer-in-Charge of the EIS Unit will provide quarterly and annual statistical reports to the Deputy Chief of Administration, who will in turn provide the reports to the Chief and Police Commission.

B. OCC PROCEDURES. On a daily basis, the Office of Citizen Complaints will input new complaint information into the system in order for the EIS Unit to accurately track indicator entries and threshold breaches. On a weekly basis, OCC will forward the names of members who have received any complaints to the member's commanding officer. Quarterly, OCC will compile a list of officers who have received three citizen complaints within a six month period or four or more citizen complaints within a year. The report will be forwarded to the Commanding Officer of the Risk Management Office. For purposes of any second or third referral under this order, no citizen complaint that was filed more than two years prior to the current quarter shall be counted or included in the OCC's Quarterly Report.

C. RISK MANAGEMENT OFFICE PROCEDURES. Upon receipt of the EIS and the OCC Quarterly Reports, the Commanding Officer of the Risk Management Office will prepare a memorandum to the DC of Administration identifying members who fall within the provisions of the EIS as outlined in section IV (A) of this order. A copy of the memorandum shall be sent to the respective member's deputy chief and commander, if applicable. Another copy shall also be sent to the member and to the member's Chief Heather J. Fong

commanding officer, along with copies of the records creating the EIS Tracking Indicators and Associated Factor information.

For purposes of any second or third referral under this order, no EIS Tracking Indicator that was filed more than two years prior to the current quarter shall be counted or included in the Risk Management Office's Quarterly Report.

D. DUTIES OF COMMANDING OFFICERS AND SUPERVISORY OFFICERS Commanding Officers shall ensure that supervisors input data into the system by the end of their tour of duty in order to track indicator entries and threshold levels. (Refer to DM 17, EIS Manual)

1. On a daily basis, supervisors shall review the EIS system for members under their supervision. Based on the information in the EIS system and their knowledge of the members' work performance, a supervisor may initiate a counseling session prior to a threshold being surpassed. Members on loan or special assignment will be tracked by their currently assigned supervisor and their regularly assigned supervisor.

2. Commanding officers shall review electronically transmitted information sent by the EIS unit and assign these reviews to the appropriate supervisor(s).

3. Command and supervisory officers are encouraged to initiate performance reviews and counseling sessions with members under their command whenever they deem it appropriate. Counseling sessions shall not be considered as discipline; however, the fact that a counseling session took place may be considered. Counseling sessions should be recorded in the member's PIP binder (or personnel file) after the member has been given an opportunity to review and sign the documentation.

E. INITIAL REFERRAL-PERFORMANCE REVIEW.

1. If the Commanding Officer is not familiar with the member subject to review due to a recent transfer, the Commanding Officer's superior officer shall determine whom to assign the Performance Review. The Officer in Charge of the EIS Unit shall be electronically notified of any changes in assignment of a Performance Review.

2. Commanding Officers shall review the EIS Unit's and Risk Management Office's Quarterly Report with the member's supervisor.

3. The EIS Unit and a member's supervisor, during their daily review, will conduct an initial review of all members who exceed the stated thresholds. The supervisor may conclude that a pattern does not exist and forward their finding to the EIS Unit through their commanding officer. The EIS Unit may concur that a pattern of at-risk behavior does not exist and that corrective action is not necessary. Conversely, the EIS Unit may not concur with the supervisor's finding that a pattern does not exist, in which case the EIS Unit will electronically return the name(s) of the member(s) to the respective commanding officer, who shall ensure that the member's supervisor engage in a performance review and, if appropriate, initiate intervention with the member. Further, the commanding officer shall ensure that the supervisor electronically transmit a report within 21 days to the EIS Unit, indicating what type of intervention
has taken place. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a follow-up report at three months and at one year after the initial intervention. This performance review and intervention plan shall be noted in the member's PIP folder in Section II - Record of Entry, as well as transmit an electronic reply through the EIS System.

4. If the member subject to the review does not have a PIP folder, the supervisor shall document the review in a memorandum to his/her Commanding Officer. Memoranda documenting such reviews shall be retained in a member's Personnel File.

5. Commanding officers shall, within 21 days of receipt of an EIS referral for a member of their command, certify that the required performance reviews have been completed and that the information has been electronically transmitted to the Officer in Charge of the EIS Unit. The commanding officer shall electronically notify the EIS Unit if the performance review cannot be completed within 21 days, along with the reason(s) why it cannot be completed.

F. SECOND REFERRAL-PERFORMANCE REVIEW SESSION. A second performance review session shall be held with any officer who has previously surpassed a threshold and come to the attention of the EIS Unit, and receives one or more additional EIS Indicator Entries within a six (6) month period after the Initial Referral - Performance

Review. This session shall be conducted by both the member's supervisor and commanding officer within 21 days of the referral from the EIS Unit.

1. When conducting this second performance review session, commanding officers and supervisors shall review Quarterly Reports along with the member's EIS Indicator and associated factor history for the last five years.

2. The member, the member's commanding officer, and the member's supervisor shall jointly develop, in the course of this performance review session, a performance improvement plan in order to reduce or eliminate member's behaviors that may contribute to unnecessary conflicts. The plan shall be agreed to by the member and signed by the member, the supervisor, and the commanding officer. The original of the plan shall be placed in the member's PIP folder (or Personnel File). Any member subject to a second referral, who refuses to assist in the development of a performance improvement plan or declines to sign the plan, shall be immediately referred to a counseling panel.

3. If the member's complaint history indicates similar conduct, as reported in the Quarterly Reports, a behavior pattern may be evident. If the member's PIP file documents any prior corrective action or failed performance plans, the matter shall be immediately referred to a counseling panel so that a comprehensive plan can be developed to correct the behavior.

G. THIRD AND SUBSEQUENT REFERRALS- COUNSELING SESSION/ COUNSELING PANEL. Whenever a third counseling session is warranted, the matter will be examined by a counseling panel composed of the member's Supervisors Commanding Officer, Deputy Chief or Commander, the Commanding Officer of the Management Control Division and the Commanding Officer of the Risk Management Office. The panel will review the member's EIS Indicator and associated factor history and recommend a course of action in writing to the Chief of Police within 21 days. Upon the Chief's approval, the action plan shall be initiated, a copy of the plan shall be included in the member's PIP folder (or Personnel File).

If a member complies with the intervention plan but the plan has been ineffective, the EIS Unit shall review the intervention strategies used and determine if other intervention is appropriate. In cases where the member has been non-compliant with the intervention process, the EIS Unit shall make a recommendation to the Chief of Police that an administrative investigation be initiated.

H. PIP BINDERS (See PIP, A Supervisor's Guide, DM-06). Supervising officers are required to review citizen complaints as they are received, notify the involved member that a complaint has been filed against him or her, and file the complaint in the member's PIP binder.

VII. BEHAVIOR FACTORS

A. When conducting a performance review or a counseling session, the following behavior factors should be among the items to be considered.

1. Is there a behavior pattern that may be causing these EIS indicator entries, whether or not the EIS indicator entries have been investigated or sustained.

2. How does the EIS indicator history of the member compare with other members in similar assignments?

3. Can EIS indicator entries be reduced by simply informing the member of Department policies and procedures?

4. Can better interpersonal skills be developed?

5. Can formal or informal training correct the problem?

6. Are the details of the EIS indicator entries and the allegations so different as to suggest that there is no improper behavior pattern?

7. Is there any other relevant information about the member or circumstances that contributes to the number of EIS indicator entries?

8. Is there a common thread of conduct in separate EIS indicator entries that may be contributing to the frequency of EIS indicator entries?

9. In addition to the other options provided in this order, supervisors may make referrals to the Employee Assistance Program or other intervention programs available to Department members (see DGO 11.09, Employee Assistance Program/Stress Unit).

B. UNFOUNDED/PROPER CONDUCT COMPLAINTS. Once identified, unfounded and/or proper conduct complaints shall not be counted or included in OCC quarterly reports or EIS quarterly reports.

VIII. OVERSIGHT OF THE EARLY INTERVENTION SYSTEM

A. Each Deputy Chief is responsible for ensuring that his or her subordinates adhere to the provisions of this order. If the Deputy Chief determines that a Supervisor or Platoon Commander/Officer-in-Charge has not complied with the requirements of this order, the Deputy Chief shall direct the Commanding Officer to conduct an immediate investigation to determine why the Supervisor and/or Platoon Commander/Officer-in-Charge failed to comply with this order. This investigation shall be forwarded to the respective Deputy Chief within 21 days, who will, in turn, determine whether any, or all, of his or her subordinates will be subject to disciplinary action. In addition, the commanding officer may be required to prepare a plan to bring the unit into compliance. If a commanding officer has not complied with this order, the respective Deputy Chief will be notified by the EIS Unit and the Deputy Chief shall conduct an immediate investigation and submit his/her findings to the Chief of Police within 21 days, who will, in turn, determine whether the commanding officer will be subject to disciplinary action.

B. The Commanding Officer of the Risk Management Office is responsible for ensuring that an audit of the early intervention system takes place every six months. Such audits shall evaluate the data entry system, the quality of supervisory evaluations, the outcomes of supervisory evaluations, and the quality of supervisory reviews. Audits shall be presented to the Chief of Police, the OCC, and the Police Commission.

C. The Commanding Officer of the Risk Management Office is responsible for ensuring that audits tracking 148 PC/243PC charges and cases dismissed by the District Attorney's Office due to documented concerns with a member's conduct are maintained and presented to the Board on a quarterly basis for review.

IX. STATISTICAL REPORTS

A. The EIS Unit will provide quarterly and annual statistical reports to the Commanding Officer of Risk Management and the Deputy Chief of Administration.

   1. The Deputy Chief of Administration shall review the reports and provide this statistical information to the Chief of Police and the Police Commission.

B. An audit of the EIS will be performed every six months to verify accuracy of data. The EIS Unit will forward a report of the findings of this audit to the Deputy Chief of Administration.

References
DGO 1.04, Duties of Sergeants
DGO 1.06, Duties of Superior Officers
DGO 2.04, Citizens Complaints against Officers
DGO 11.09, Employee Assistance Program/Stress Unit
DM 17 EIS Procedures (this is currently not in existence)
Crime Prevention Company (Tactical) Dog Unit Policy and Procedures

AYES: Commissioners Renne, DeJesus, Lee, Marshall, Sparks, Veronese

NAYS: Commissioner Campos

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall to hold Closed Session. Approved 7-0.

CLOSED SESSION

a. Pursuant to Government Code section 54957.6 and San Francisco Administrative Code Section 67.10(e):
LABOR NEGOTIATIONS: Consultation with the City's Labor Negotiation Team: Status of MOU negotiations with the San Francisco Police Officers Association

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall for non disclosure. Approved 7-0.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

and

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE DEPARTMENT'S BUDGET FOR FISCAL YEAR 2007-2008

Chief Fong announced that during the month of January to present,

efforts between the Narcotics Division and officers of Ingleside Station in terms of addressing narcotics activity that was occurring in the Alemany Development and early this morning district station personnel were out serving 13 search warrants and arrest warrants that were results of the narcotic activities that occurred over the past month. There are eight individuals who were taken into custody. Chief Fong commended the officers and the inspectors who did a great job.

Mr. Ken Bukowski, CFO Fiscal Division, gave an overview of the Department's budget for fiscal year 2007-2008. Mr. Bukowski thanked Commissioner Sparks for meeting with him.

Commissioner Sparks stated that the Department should distance itself from the PERF study so the Department is not perceive as studying itself.

Chief Fong addressed some of the issues as to why some items are included in the budget.

Commissioner Campos would like information early on for complete discussion with the Department and the public. Commissioner Campos also asked about cultural competency. Mr. Bukowsky explained that it has to be built in with the academy training. Captain Corriea explained the Department is working with City College and an 8-hour course, stand alone, for a cost of $27,000 and over the course of the next fiscal year, the Department can offer the half unit class 26 times and put 520 employees through an 8-hour cultural competency block of training.

Commissioner Veronese asked how many vehicles the Department has. Chief Fong stated that the Department has over 300 marked vehicles and more than a 100 unmarked vehicles. Commissioner Veronese asked what the Department is doing to be environmentally friendly. Chief Fong stated that the Department tried natural gas but that cannot support the marked vehicles.

Commissioner Sparks asked about in-car cameras. Chief Fong stated that the Department had several in-car cameras five or six years ago. Chief Fong explained that the cameras keeps the Department on its best behavior but at the same time, if there are concerns from the community that the officers are not providing that highest level of service, that camera is an independent eye.

Commissioner Sparks asked about staffing. Chief Fong stated that what the Department currently have is 1743 full duty officers in the city. This year, given the five academy classes equivalent to 250 officers, and if you take a 15 percent attrition, what you would see is roughly 200 officers who make it through the training. In addition to that, the Department is averaging 9 to 10 officers retiring per month. This year, there are 390 officers with 25 years of service and over age 50 and that qualifies them for retirement. Of those officers, 98 are over age 50 and have 30 years of service. By the end of this year, the Department will have 486 officers who are 25 years of service, age 50, equivalent to 138 with 30 years of service, age 50. The next year, 560 – so every year you're adding about 120 officers who move into that realm of retirement possibility. Chief Fong stated that the goal is to build up the numbers of the Department while those retirement are increasing so that when people choose to leave, the Department is not in worse shape than it is today.

Commissioner Lee asked about airport staffing level as compared to district stations. Commander Lynch explained that the Airport Bureau, in 1994, was a separate function and did not report under the Police Commission. In July 1997, the Department assumed responsibility for the Airport Police. In 1994 a study was done regarding the staffing level of the Airport Police and the study showed a justification for 290 positions.

Commissioner DeJesus thanked Captain Chignell for officer provided to Bernal Heights and Alemany neighborhoods and asked about recruitment. Captain Corriea stated that recruitment is currently not going to schools as a primary focus but it will be in the coming year and there are about 60 events planned so far. Captain Corriea stated that by the end of March, the plan is to do outreach not only with district captains but with all the community groups that's been contacted by Commander Harper.

Commissioner DeJesus asked about equipment. Chief Fong stated that the budget includes the collapsible batons and the issue of lights on guns came up and the Chief stated that it has to work that the officers are not substituting their guns with their flashlights.

Commissioner Sparks asked about investigations and the budget. Chief Fong stated that the budget will bring more personnel and the Department will be able to move people easily to the Investigations Bureau and that will give Deputy Chief Tabak more resources to help with investigations. Chief Fong also stated that the department has funding that was designated in the same amount of $100,000 for the Witness Protection Program and the Mayor's Office of Criminal Justice also has funds available should the Department exceed the $100,000 cap.

Commissioner Lee asked about recruitment failure rates and what is the Department doing to remedy that. Captain Corriea stated there are no trends in groups released from the Academy and that the rate is spread across the board. Captain Corriea talked about what the academy is doing to retain recruits in the academy.

Commissioner Marshall asked how many officers does the Department need. Chief Fong stated that the entire Department should be in the area of 2400 to 2500 officers.

PUBLIC COMMENT

Mr. McCloskey thanked the Chief for her help in the Bernal Heights community.

Unidentified discussed concerns regarding Bernal Heights/Alemany community.

Unidentified discussed concerns regarding Bernal Heights/Alemany community.

Motion by Commissioner Marshall, second by Commissioner DeJesus to approve the budget for the Department.

Commissioner Sparks asked that a letter be prepared to the Mayor and the Board saying the Commission did not have adequate time to review the budget.

RESOLUTION NO. 23-07

APPROVAL OF THE SFPD BUDGET FOR FISCAL YEAR 2007-2008

RESOLVED that the Police Commission hereby approves the SFPD budget for fiscal year 2007-2008.

AYES: Commissioners Renne, DeJesus, Lee, Marshall, Sparks, Veronese
NAYS: Commissioner Campos

COMMISSION ANNOUNCEMENTS

a. Progress report on search for Director of the Office of Citizen Complaints

Commissioner Renne talked about hiring Bob Murray & Associates to look for a Director of the OCC and talked about draft of brochure in regards to the position.

Commissioner Veronese announced that the Chief has set up a forum at the Academy regarding getting input from non POA reps.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

OCC Audit for next week.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Veronese to adjourn the meeting. Approved 7-0.

Thereafter, the meeting was adjourned at 10:14 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 28, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-193 ALW (ACTION ITEM)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-227 ALW (ACTION ITEM)

   c. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   EMPLOYEE PERSONNEL EVALUATION: Interim OCC Director (DISCUSSION ONLY)

(OPEN SESSION)
Pledge of Allegiance; Roll Call

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 28, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

5. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

6. Discussion re: The Controller's Audit of the Office of Citizen Complaints (DISCUSSION ONLY)

7. Chief's Report
   a. Update on significant policing efforts by Department members

8. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

9. Discussion and possible action to adopt revised Department General Order 5.10, "False Alarms" (ACTION ITEM)

10. Approval of the minutes for the meetings of January 17th and 24, 2007 (ACTION ITEM)

11. Commission Announcements (DISCUSSION ONLY)
    a. Status of Police Services Review Study

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: DONNA HALL, ADMINISTRATOR, CITY HALL, ROOM 244, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689; OFFICE (415) 554-5163; E-MAIL: Donna Hall@ci.sf.ca.us. COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.ci.sf.ca.us/bdsupvrs/sunshine

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

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PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

Communication accessibility services; including sign language Interpreters or computer aided real time captioning will be made available upon advance request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406(tty), at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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Meeting agendas and other print materials will be made available in alternate formats (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call 553 1343 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

The proceeding will be held at: City Hall, Room 400, #1 Dr. Carlton B. Goodlett PLace

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47 Van Ness, 5 Fulton, 31 Balboa
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For information about the meeting call 553-1667 (v) or 553-9194 (tty)

FEBRUARY 28, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:38 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Marshall, Sparks, Veronese
ABSENT: Commissioner Lee

(Commissioner DeJesus arrived at 6:10 p.m. Commissioner Sparks arrived at 5:53 p.m. Commissioner Campos was excused at 6:55 p.m. Commissioner Renne was excused at 8:04 p.m.)

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 5.10, "FALSE ALARMS"

Taken out of order.

Motion by Commissioner Marshall, second by Commissioner Campos to adopt revised General Order 5.10.

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RESOLUTION NO. 27-07

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 5.10, "FALSE ALARMS"

RESOLVED, that the Police Commission hereby adopts revised Department General Order 5.10, "False Alarms," as stated below:

FALSE ALARMS

This order describes the procedures for responding to commercial, residential, and vehicle alarms, and officers' responsibilities for making the appropriate CAD disposition entry. Under the City's False Alarm Ordinance Program, the Emergency Communications Department (ECD) and the Tax Collector are now responsible for the billing of false alarms. The ordinance only applies to police alarms handled by the police department.

I. PROCEDURES

A. After arriving at the scene and determining that the alarm is false, ~~try to~~ identify the cause of activation, e.g., power failure, vibrations, employees on the premises, mechanical or system malfunction, advise ECD and make the following appropriate CAD disposition entry:

Type Code	Definition	Dispo code	Disposition Definition
211S	Silent Holdup Alarm	NCR	Non-Criminal Activation (i.e. employee on premise no merit to robbery)
100A	Audible Burglar Alarm	PAS or NCR	Premise Appears Secure (i.e. unknown cause, weather, animals, etc.)
100S	Silent Burglar Alarm	PAS or NCR	Non-Criminal Activation (i.e. employee on

			premise no merit to burglary)
100P	Panic Alarm	NCR	Non-Criminal Activation (i.e employee on premise no merit to panic incident)

B. Members shall not enter dispositions such as "NOM, HAN, ADV, or UTL," for false alarms as these dispositions do not accurately indicate that an alarm was in fact false.

C. Members shall no longer complete the alarm response cards, as this information is recorded in CAD and monitored by ECD.

D. ALARM RESPONSE CAD disposition code entries: The appropriate CAD disposition code entry shall be made under the following conditions:

1. Criminally activated alarms.

a. REP-report made: 459,211, etc.
b. ARR-arrest made
c. CRM-criminal activation

2. Alarms that are canceled prior to your arrival at the scene.

a. NCR

E. ALARM CODE TYPE shall continue to be used by officers when it is necessary to enter the appropriate code:

1. Vehicle alarms:

a. 100V

2. Muni Buses or Street Cars

a. 100M

F. VEHICLE ALARMS

1. CITATION. Issue a citation on a vehicle that is emitting an audible alarm in violation of the Municipal Police Code Section 3703(a) when:

a. The alarm signal with a variable tone, is similar to that of an emergency vehicle, or

b. The duration of the audible alarm exceeds 5 minutes.

2. INCIDENT REPORT. The citation does not require an incident report, signature of the offender or an incident number.

3. DEACTIVATING A VEHICLE ALARM. Instead of towing the vehicle, officers may attempt to deactivate a vehicle alarm that is in violation of the Municipal Police Code 3703(a) by applying 3703(b).

a. Entry, search, and damage must be confined to that which is reasonable and necessary to locate and deactivate the alarm mechanism.

b. The officer shall attempt to contact the vehicle's owner, by telephone or otherwise, before disconnecting the alarm.

c. If it appears that damage may be incurred while deactivating the alarm, notify your supervisor and get his/her approval before proceeding.

1. If damage occurs while deactivating the alarm, complete a memorandum describing the damage and forward it to your commanding officer.

4. TOWING (Also see DGO 9.06, Vehicle Tows). California Vehicle Code Section 22651.5 allows an officer to tow a vehicle emitting an audible alarm when ALL of the following conditions exist:

a. The vehicle is parked in a residential or business district either on public or private property.

b. The alarm cannot be deactivated.

c. The owner of the vehicle cannot be located within 20 minutes.

DGO 1.06, Duties of Patrol Officers
DGO 9.06, Vehicle Tows

AYES:	Commissioners Renne, Campos, DeJesus, Marshall, Sparks, Veronese
ABSENT:	Commissioner Lee

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner Veronese. Approved 4-0.

CLOSED SESSION

a. **PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-193 ALW** (Resolution No. 25-07)

b. **PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-227 ALW** (Resolution No. 26-07)

c. **EMPLOYEE PERSONNEL EVALUATION: Interim OCC Director**

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Veronese, second by Commissioner Campos to disclose discussion pursuant to item "c" without naming specific individual names. Approved 6-0.

Miss Jean Field, OCC, commented regarding the OCC Controller's

Audit. Regarding the allegation of falsifying time and attendance records, Ms. Field stated that these were allegations that individuals essentially had been mismarking their time sheets by increment of 10 minutes to half an hour on somewhat of a routine basis. Ms. Field stated that she, along with management staff, met with a labor attorney who was assigned to the OCC for this purpose, and discussed with her the role and ability of management in terms of investigating these types of issues. Ms. Field stated that it was their intention to look proactively to stop any kind of practice of unethical conduct. Ms. Field stated that they have reissued a notice to all employees emphasizing their duty to sign in accurately and correctly. Ms. Field also stated that they are in the process of sending all senior supervisory staff to two DHR trainings: One on personnel evaluations and the other on progressive discipline.

Regarding the allegation of the use of city cars for non city business, Ms. Field stated that this involved an allegation against a single employee where the employee took the car to a non authorized community event that had nothing to do with his work place. Ms. Field stated that this happened several years ago and was investigated by the management and the employee received retraining and admonishment regarding the proper use of city cars. Ms. Field also issued a policy that all employees who are responsible for garaging cars at night must sign in the mileage when they leave the office and when they arrive at home and when they leave home and arrive at the office.

Regarding the allegation of outside employment activities using time and resources, Ms. Field stated that this is an area that is under investigation and she is working with the City Attorney regarding the OCC's Statement of Incompatible Activity and also applicable Civil Service Rules that govern what kind of work employees can do and what kind of notice they need to get to their supervisors. Commissioner Renne stated that there shouldn't be any outside work because of the time problems.

Regarding the allegation of harassment and use of inappropriate language, Ms. Field stated that she has investigated what has happened with this and as a result of findings made by the Controller's Office, those were provided to the Department of Human Resources for investigation and because the complaints are anonymous, there was no formal complaint opened at DHR. Instead a DHR representative met with senior OCC management and insured that any employees who were suspected or had been overheard using profane language were counseled about proper workplace decorum in the office and the entire staff was given a training by DHR regarding the city's policy on a harassment-free workplace, they were counseled as to their rights to make complaints about individuals in the workplace free of retribution and they were counseled on their ability to do so.

Commissioner Veronese asked the City Attorney if the members of the OCC would come before the Commission for some kind of disciplinary action. Ms. Molly Stump stated that the employees of the OCC are under the authority of the OCC Director for all types of discipline. Ms. Stump also stated that the Commission can set policies for the OCC. Commissioner Veronese stated that he asked for the OCC General Orders and have not received said rules.

DISCUSSION RE: THE CONTROLLER'S AUDIT OF THE OFFICE OF CITIZEN COMPLAINTS

and

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Commissioner DeJesus asked about tracking of cases for the OCC. Ms. Field stated that the OCC's database does have a file location field in it. She

also stated that the OCC is re-evaluating what they have and they hope to work with the Controller's Office because they know what is available and how to more successfully implement it.

Commissioner Sparks asked about a case where the Chief was not given sufficient time to return comments to the OCC. Ms. Joanne Held, Controller's Office, stated that there are specific circumstances where the Director of the OCC can take the case directly to the Commission to avoid losing the case to the statute of limitations.

Commissioner Sparks asked about case delays and asked if further investigation as to why delays occurred and whether there is disciplinary action pending or what the situation is of the two investigators. Ms. Held stated that those two investigators that had 39 percent of delays for no stated reason but the Controller's Office did not specifically investigate those two individuals further. Ms. Field stated that she has instructed seniors to evaluate each investigators' caseloads to identify particular strengths and weaknesses in terms of case handling for each investigator because some of the investigators have particular stopping points or particular blockages and they are hoping to prioritize the reviews so that they can be helped to move forward.

Commissioner Sparks asked about recommendation #22. Ms. Held explained that this recommendation was influenced by the fact that the current director was resigning and there was no appointed director at that time so this was to insure accountability that it will be addressed but ultimately the director is responsible for the organization.

Commissioner Sparks asked about recommendation #29 regarding officer notifications and interviews. Ms. Field stated the OCC needs to revised their notification process, come up with a report and present it to the Commission and show the Commission exactly how the OCC are notifying officers, how other jurisdictions do it, and then codify that into a policy that the OCC will issue and discuss with the member organization. Commissioner Sparks stated that it would be beneficial to the Commission if the OCC have a discussion with the POA before it is brought to the Commission so that the Commission will be aware of any differences of opinion that the POA might have as opposed to hearing it after the policy has already been presented.

Commissioner Sparks asked about outreach plan. Ms. Field stated that one of their investigators have come up with a draft outreach plan and another employee is doing best practices in other community agencies and other civilian oversight agencies to see what their outreach plans are. Ms. Field stated that the next step will be to approach community based organizations.

Commissioner Sparks asked about staffing and the increased workload on individuals. Ms. Field stated that the overview and statistical reporting have been done by management staff as well as the attorneys and investigators have volunteered for specific projects but they are also held to their primary mission of accomplishing case closure.

Commissioner Marshall asked about how much help is needed to clean house. Ms. Field stated that the OCC staff have been a great help.

Commissioner DeJesus wants to emphasize outreach and is looking forward to seeing the plan and asked about amending resolution 27-06 and asked that 97-04 be also amended.

PUBLIC COMMENT

Kevin Martin, POA Vice President, discussed concerns regarding the audit especially issues of lack of ethics by the OCC and asked if there is a time limitation as to when reforms will be made.

Steve Johnson, POA, discussed concerns regarding the audit and no accountability by the OCC.

Gary Delagnes, POA President, discussed concerns regarding the OCC audit and discussed summit convened by two former Chiefs of Police and that no one took action on those recommendations and asked Mr. Schlossberg to work on an early warning system for the OCC.

APPROVAL OF THE MINUTES FOR THE MEETINGS OF JANUARY 17TH AND 24, 2007

Motion by Commissioner Marshall, second by Commissioner DeJesus. Minutes approved 6-0.

COMMISSION ANNOUNCEMENTS

a. Status of Police Services Review Study

Commissioner Renne announced that she met with the Controller and will have an ability to make some selections with regard to who can do the independent review and reform that the Commission needs. Commissioner Renne stated that she hopes to have more information on that in the coming week.

Commissioner Sparks asked how can the Commission be more involved in this process. Commissioner Renne stated that what is anticipated is in some ways it will be like the OCC audit, there will be an advisory committee, and any reports and recommendations would have to come to the Commission for review.

Commissioner Renne stated that the MOCJ is putting together an advisory committee and would like some members of the Commission to be on it. Commissioners Sparks, Veronese, and Marshall volunteered.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Commissioner Sparks asked about recruiting facilities. Commander Harper stated that they are given a great deal of importance and that the Academy is a great place for them to be.

Commissioner Veronese asked about how the meeting went as far a input from officers that had attended. Deputy Chief Tabak stated that a group of officers, sergeants, inspectors, lieutenants and captains were chosen to be part of this committee. The ranks were separated so that everyone could speak freely. The facilitator of these meetings was very open and across the board there were favorable reports from all ranks.

Commissioner Marshall asked about the confidential study by the administrative office of the court. Deputy Chief Tabak stated that what this report asked for by the court highlights some of the difficulties that he has spoken to in the past relative to the criminal justice components. Chief Tabak stated he has not seen the report but that is just one of the many studies dealing with criminal justice issues.

PUBLIC COMMENT

None

PUBLIC COMMENT

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Veronese asked about joint meeting with the Housing Authority and asked about voting in public regarding the Copley decision.

Commissioner Sparks asked about a report on violent crime trends city wide 2005 vs. 2006 as opposed to just the homicide trends and divide it by neighborhoods and would like to schedule it as quickly as possible.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Marshall to adjourn the meeting. Approved 4-0.

Thereafter, the meeting was adjourned at 8:14 p.m.

_____

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SF
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3/7/07
c.2

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 7, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C04-121 JWF (ACTION ITEM)

   b. Pursuant to Government Code section 54956.9 and San Francisco Administrative Code Section 67.10(d):
   CONFERENCE WITH LEGAL COUNSEL: Pending litigation
   Schiff, et al. v. CCSF, et al., U.S. District Court Case No. C03-04345 MMC
   (DISCUSSION ONLY)

(OPEN SESSION)
Pledge of Allegiance; Roll Call

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 7, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

7. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities
   b. Presentation of the OCC's 2005 Annual Report & Comprehensive Statistical Report from January - December 2006

8. Discussion and possible action re: The Commission's Priority List (ACTION ITEM)

9. Report and discussion on procedures implement the use of Hearing Officers for Commission disciplinary cases (DISCUSSION ONLY)

10. Approval of the minutes for the meetings of January 31st and February 7, 2007 (ACTION ITEM)

11. Commission Announcements (DISCUSSION ONLY)
    a. Assignment of disciplinary case no. C067-023 to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment (ACTION ITEM)

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

SAN FRANCISCO POLICE
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The proceeding will be held at: City Hall, Room 400, #1 Dr. Carlton B. Goodlett PLace

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The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

MARCH 7, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:18 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks
ABSENT: Commissioner Veronese

(Commissioner Veronese arrived at 5:37 p.m. Commissioner Renne was excused at 7:52 p.m.)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Sparks, second by Commission Campos. Approved 6-0.

CLOSED SESSION

a. **PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C04-121 JWF** (Resolution 28-07)

b. **CONFERENCE WITH LEGAL COUNSEL: Pending litigation Schiff, et al. v. CCSF, et al., U.S. District Court Case No. C03-04345 MMC**

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Campos, second by Commissioner DeJesus for non disclosure. Approved 6-0.

PUBLIC COMMENT

Richard Stipman discussed concerns.

CHIEF'S REPORT

a. **Update on significant policing efforts by Department members**

Chief Fong discussed press conference to announced a new initiative with the Housing Authority, the expansion of the Community Policing in Housing Authority Program. The Chief also talked about a meeting with the MOCJ regarding the Community Policing Advisory Committee.

Chief Fong talked about an article in the Chronicle about traffic stop data. Chief Fong stated that the Department has continued to collect traffic stop data and a department bulletin has been continuously reissued. Chief Fong stated that hopefully the Department can hire somebody soon to be on staff to produce the reports from raw data but also for them to analyze and then report to the Commission.

Commissioner Renne would like a copy of the resolution that was adopted by the earlier Commission.

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Deputy Chief Shinn, FOB, responded to the discrepancies and stated that the discrepancies were brought out when he was a Captain at a district station, also as a Commander, and now as a Deputy Chief. Chief Shinn explained that officers are required when they make a traffic stop that by using their computer terminal, called Mobile Data Terminal, in their vehicles that after the stop is made they bring out the mask. That mask indicates the reason for the stop, date, time, the gender, race, outcome of the stop if a citation was issued/advisory, if there was a search made, if it was consensual or not. Chief Shinn stated that what they found out is that officers, after making a traffic stop, would input the information, it would be acknowledged by the system, but the system never recorded that in the hard data. So there was a discrepancy where it would show through the computer run that the officer completed it but for some reason it was never recorded. Another reason is there were transmission frequency problems with the wireless computers in certain parts of the city. Another reason is when an officer makes a stop minutes before midnight the computer run on that entry would be recorded on the day that he made the stop which would not correspond with the actual time that he was first recorded making the stop. It would be a day before so there was some inconsistencies there. Another reason is when officers respond as backup on a traffic stop and the backup officer would be recorded in the system as entering data also.

Commissioner Sparks would like a report in writing. Commissioner Sparks also asked why weren't the system corrected. Chief Shinn stated that the Department has been working with the technology department so that transition from wireless computers can be documented.

Commissioner Sparks asked what else is being lost because of transition problems. Chief Shinn stated there is concern for officer safety and the Department is working on the areas that are problematic.

Chief Fong explained as to why monthly reports were not presented to the Commission. Chief Fong stated that although the reports were not going to the Commission the reports were prepared going back as far as 2003 and 2004.

Commissioner Sparks asked if the Department has the necessary I.T. equipment or is the Department looking at a budget request to get the necessary equipment for the Department to do these reports and what is the Department doing as a long-term plan. Chief Fong stated that the Gartner Study will hopefully be able to make a presentation to the Commission because they can speak to these areas more eloquently and their proposal is based on what they've seen and the frustrations they've heard from the members of the Department.

Chief Fong briefed the Commission on a recent officer-involved shooting on Townsend Street.

Commissioner Campos discussed concerns regarding reports not being presented to the Commission and the issue of trust by the community. Chief Fong stated the data have been provided to Dr. Fridell so that she can present her report to the Department and the Commission.

Commissioner Campos stated that there needs to be a mechanism in place so that when the Commission gives a policy directive to the Department, that the internal operations of the Department are changed in such a way to incorporate that directive and that the directive be followed whether or not there is change in members of the Commission. Commissioner Campos stated that best practices need to be incorporated into the whole process.

Commissioner Veronese stated that technology should be a priority for the safety of the officers. Commissioner Veronese also discussed concerns

regarding data collected. Chief Fong stated that the Department can provide the reports and can produce the reports but the Department needs someone who has more expertise in this area to review the data. Commissioner Veronese would like the report within three weeks.

Commissioner Veronese would like a report regarding which conditions that are contributing to the crime that are the responsibility of the Housing Authority.

Commissioner Renne stated that the Commission will have a joint meeting with the Housing Authority on March 28th.

Commissioner DeJesus stated that she is concern regarding no reports provided at all. Chief Fong stated that the report that was configured does breakdown the ethnic breakdown by district station and of the 585 data and by ethnic group and those reports were generated and provided to Ms. Sward.

Commissioner DeJesus asked that resolution #65-02 be revised so that the intent of the resolution be carried forward and that it be fixed so that there is some type of monthly reporting.

Commissioner Renne stated that the Commission may want to wait until Dr. Fridell gives her report.

Commissioner Lee talked about a missing person who was found today after missing for seven days and asked what is the normal procedure for the Department in dealing with missing persons. Chief Fong stated that there is a policy for missing persons and explained the different procedures followed by the Department.

Commissioner Marshall asked that the Commission should look back to past resolutions so that this Commission knows exactly what the Commission needs to look at.

Chief Fong will provide copies of the reports to the Commissioner and will report back to the Commission after her conversation with Dr. Fridell as to when the report can be presented to the Commission.

PUBLIC COMMENT

Mark Schlossberg, ACLU, discussed concerns regarding traffic stop data.

Marlon Crump, SRO Advocate, discussed concerns regarding racial profiling.

Officer Kevin Martin, POA, discussed concerns regarding the credibility of the Chronicle and stated that the Department does not profile race. The Department profiles behavior and criminal activity.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

b. Presentation of the OCC's 2005 Annual Report & Comprehensive Statistical Report from January - December 2006

Ms. Jean Field, Interim OCC Director, talked about the 2005 Annual Report and the draft statistical report from January to December 2006.

Commissioner Sparks stated that she would like statistics like a pie chart or a graph to see where cases are. Cases close to nine months would be of importance to the Commission.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION RE: THE COMMISSION'S PRIORITY LIST

Commissioner Sparks asked to prioritize Department General Order 3.19 and 8.09 which is Media Access and Media Updates. Commissioner Sparks would also like monthly status reports on officer-involved shooting and put them on once a month or maybe the first meeting of the month to have a regular update. Commissioner Sparks also would like an update on DGO 11.07 which is the non discrimination general order of the Department.

Commissioner Sparks asked for a copy of the MOCJ RFQ (Request For Qualifications) that was sent out to various consulting firms to look at the study of the culture of the SFPD and also get a copy of some of the responses. She would also like a copy of the RFP and if there are any responses to that. Commissioner Sparks would also like to calendar, for discussion, on how the Commission is going to be involve in the future in what was formerly known as the Mayor's Blue Ribbon Panel on the cultural analysis of the department.

Commissioner Sparks also asked for a report on overall violent crime trends for 2005 to 2006 citywide and by neighborhood or by sector.

Commissioner DeJesus would like to see Language Access and DGO 7.01. Commissioner DeJesus would also like the Patrol Special issues added to the list.

Commissioner Sparks asked what happened to the Kroll Report.

Sergeant Reilly stated that he will go through the list and form a list with priorities that are still pending and provide that to the Commission.

Commissioner Lee asked for a report on recruitment efforts, youth violence trend, and report on domestic violence and sex workers.

Commissioner Campos stated that once the update list is received from Sergeant Reilly, that the Commissioners go through it an pick their top five priorities.

PUBLIC COMMENT

Mark Schlossberg, ACLU, suggested that the Commission identify only handful of priorities and deal with them as real priorities.

REPORT AND DISCUSSION ON PROCEDURES TO IMPLEMENT THE USE OF HEARING OFFICERS FOR COMMISSION DISCIPLINARY CASES

Commissioner DeJesus stated that they are trying to set up the hearing protocol and that the process is on the way. There are meetings set up with MCD, OCC, and the POA for tomorrow and the City Attorney is going to handle the initial meetings. Commissioner DeJesus would like to calendar this item again in two weeks for a status report.

PUBLIC COMMENT

None

APPROVAL OF THE MINUTES FOR THE MEETINGS OF JANUARY 31ST AND FEBRUARY 7, 2007

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 6-0.

COMMISSION ANNOUNCEMENTS

a. **Assignment of disciplinary case no. C067-023 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Resolution 29-07, Assigned to Commissioner Joe Marshall)

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Lee asked that the Commission urge the Mayor and the Board of Supervisors regarding the Copley decision.

Commissioner Campos announced that the Commission will be conducting a disciplinary hearing next week and there will be no regular Police Commission meeting next week.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Lee. Approved 6-0.

Thereafter the meeting was adjourned at 8:42 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
MARCH 12, 2007 TO MARCH 16, 2007
9:00 a.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CLOSED MEETING

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Special
closed

Taking of Evidence by The Commission on Disciplinary Charges filed in Case Nos. C04-123 JWF, C04-124 JWF, C04-120 JWF, and C04-119 JWF

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The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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cancelled

The Commission will not meet on Wednesday, MARCH 14, 2007.

Please join the Commission at its next meeting on Wednesday, March 21, 2007, at 5:30 p.m., in Room 400, at City Hall.

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The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 21, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Taking of Evidence on Disciplinary Charges filed in Case Nos. C04-124 JWF and C04-119 JWF (ACTION ITEM)

   b. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b):
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police
   Review of findings and decision to return officers to duty following an officer-involved shooting (OIS Case No. 07-002)

   c. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
   (DISCUSSION AND POSSIBLE ACTION)

THOMAS J. CAHILL HALL OF JUSTICE 850 BRYANT ST., RM. 505 SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 21, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

(OPEN SESSION)
Pledge of Allegiance; Roll Call

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

6. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

7. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities
   b. Presentation of the Fourth Quarter Early Warning System Report

8. Report and discussion on procedures implementing the use of Hearing Officers for Commission disciplinary cases (DISCUSSION ONLY)

9. Approval of the minutes for the meeting of February 14, 2007 (ACTION ITEM)

10. Commission Announcements (DISCUSSION ONLY)

11. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 21, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

12. Adjournment (ACTION ITEM)

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

PLEASE NOTE: The Police Commission will be holding a Special Meeting this month at a location other than City Hall.

1. The Police Commission will hold a joint meeting with the San Francisco Housing Authority Commission on Wednesday, March 28, 2007, at 5:00 p.m., at the African American Art and Cultural Complex, 762 Fulton Street, San Francisco.

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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Lobbyist Registration and Reporting Requirements
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The proceeding will be held at: City Hall, Room 400, #1 Dr. Carlton B. Goodlett PLace

Accessible MUNI lines serving this location is: 49 Van Ness/Mission
47 Van Ness, 5 Fulton, 31 Balboa
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The closest BART Station is: Civic Center

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MARCH 21, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:18 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Veronese arrived at 5:22 p.m.)

PUBLIC COMMENT AN ALL MATTERS PERTAINING TO CLOSED SESSION

None.

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner Lee to hold Closed Session. Approved 6-0.

F
245
#2
3/21/07

CLOSED SESSION

a. **PERSONNEL EXCEPTION: Taking of Evidence on Disciplinary Charges filed in Case Nos. C04-124 JWF and C04-119 JWF** (Resolution 31-07 and 32-07)

b. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**
Review of findings and decision to return officers to duty following an officer-involved shooting (OIS Case No. 07-002)

c. **PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst**

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VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Veronese, second by Commissioner DeJesus for non disclosure. Approved 7-0.

COMMISSION ANNOUNCEMENTS

Taken out of order.

Commissioner Renne stated that there is a representative from the Controller's Office present tonight and explained that the Commission has been trying to get a study going of the Department that will go into Departmental organization, district boundary lines, and beat patrols and MOCJ had earlier put out an RFQ and in the interim it was determined that it should be a bit more complete and it is now under the Controller's Office. Ms. Peg Stevenson is present from the Controller's Office.

Commissioner Renne stated that part of the process will be a selection process and she has asked Commissioner DeJesus to participate on that. There will be an advisory committee's part of the process and she has asked Commissioners Sparks, Marshall, and Lee to participate in that.

Ms. Peg Stevenson, Controller's Office, stated there is an RFQ issued previously and there is also opportunity to bundle together with this sort of broad organizational and strategic development type of analysis that's been requested by various parties. Ms. Stevenson stated that the Controller's Office

is soliciting a broad pool of firms with expertise in public safety, consulting particularly, management consulting generally, and some of the types of demographic and practical analysis that would be helpful in those projects. The RFQ is posted on March 7th and the deadline for advance questions came last Friday. Ms. Stevenson stated that they got a lot of good interest from multiple firms and they will post a response document with some clarifying questions that were asked for all parties on the Controller's website. The deadline for the responses is April 9th and then there will be a selection process that proceeds after that.

Commissioner Sparks asked how much of the overall evaluation will be done by the outside consultant as opposed to the Controller's Office and will the Controller's Office be doing additional analysis after referral is received from the consultant. Ms. Stevenson stated that it depends from what the Controller's Office gets back from the firms. She stated that the great majority for the organizational and strategic development part will be done by outside experts and the other two projects have shorter time lines and may depend on how much can be done with consultants. The time lines will be a year for the analysis of the first project, the deadline on the second project which is the district station boundary analysis comes sooner on November 30th for a consultant report since the report is due to the Commission in January 2008 and there's a June 30th deadline and a December 31st deadline in the legislation for the foot patrol effectiveness study.

Commissioner Renne announced that the Commission will be meeting with the Housing Authority Commission next week at the African American Art and Cultural Complex at 762 Fulton Street.

PUBLIC COMMENT
None

PUBLIC COMMENT

Shari discussed concerns regarding Marty Halloran.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong updated the Commission on events like the St. Patrick's Day Parade and anti-war demos that occurred during the weekend. The Chief also talked about road rage incidents in the city. She talked about two incidents that involved road rage that turned violent.

Deputy Chief Tabak talked about recent incidents including a fire that occurred in the city. Deputy Chief Tabak made the following statement:

"Thank you, Chief. Good evening, Commissioners. As the Chief mentioned, we've had a busy week or so with some tragic incidences and I'll just kind of capture and synopsize some of the events. I like to start though by informing all of you if you have not seen it or read it. On the press release of this Monday there was a multi unit structural fire on the 50 block of Page Street near Market. It engulfed the entire structure. It displaced over a dozen residents and caused the injury of one of the fire fighters trying to suppress that fire. Inspectors from our Arson Task Force along with our counterparts from the Fire Department were able to identify the suspect, get a warrant issued, and a witness identified the suspect last night at UC Hospital. We were able to take him into custody without incident. This could have easily resulted in a number of deaths including that of the fire fighters so that's quick work done by our Arson Task Force and the Fired Department. So we thank everyone that was involved.

I take you back to October of 2005. October 14th on Turner Terrace late in the evening, approximately 8:00 o'clock, a mother and a father along with their infant child in the backseat strapped into a car seat was shot at by a suspect. The father died. The infant died. As a result of quick work by our Homicide investigators, with the help of a willing witness in the community coming forward, the suspect was identified. Our Special Investigations Division set up surveillance and took the suspect into custody several days later in Redwood City. I'm happy to report that this afternoon a jury returned a unanimous first degree murder conviction on two counts on the suspect. We can only hope that he serves a long time in State Prison and is not able to hurt anyone else. So, again, that was a lot of work done only with the help of the community and I can only stress that with the community's help, a lot of the homicides out there can resolve in exactly this manner.

Last Friday, about 5:00 o'clock in the morning, a little by 5:30, there was a body found in the area if Marine and Indiana. Unfortunately, the body was that of a member of the LGBT community and what died ... we did not know at that time the cause of death and it became a Medical Examiner's case. Within a day, it was rendered at the hands of another, and, therefore, Homicide began an immediate investigation. That afternoon, though, after finding the body, trying to identify the dissident, we reached out immediately to CUAV, who was our partner in the community, for their assistance in trying to identify the victim. We are glad to say that this afternoon we are able to identify the victim through a combination of community work and also fingerprints. So flyers will be going out tomorrow. I will not mention the victim's name only because the family has not been notified out of respect. So that will proceed. We're not sure of the motive in this case. Tragic as it is, I am sure we will find the motive once members will come forward with additional information from the community.

And then tragically, that same evening, around 8:00 o'clock, 8:30 actually, 17-year old young lady was shot and killed in the area of 3rd and Quesada. She was an unintended victim of an absolutely senseless act of violence that escalated from a stupid dispute among juveniles. And to underscore what the Chief said, we are seeing a troubling trend where people out there, juveniles and adults, do not fear the consequence of carrying a gun. They fear the consequence of being found without a gun by their adversaries and they quickly result disputes in this manner. They were going from a verbal to a shooting. It's an unfortunate sign of our times and again only speaks to the leniency of dispositions with respect to firearms violations.

I am happy to say also that as a result of community involvement, we believe we've identified the suspects in this case and I can only hope that resolution will be equally as just as the one I described from the incident back in 2005. Again, with the help of a community member, we quickly identify who the suspects are, and I will report on any future arrests.

Also, I'd like to just quickly mention and capture, we have seen also a kind of unusual trend this year with respect to homicides. Out of the 24 we've had year-to-date, 5 have involved domestic violence, family disputes, or murder/suicide. Every single one of those occurred indoors. Every single one of those were relatively spontaneous, and every single one of those would have occurred in any like city throughout the United States. However, it's still 5 homicides carried as far as statistics. Seven on those homicides this year have been result of drug disputes. These are either turf sales disputes, attempted robbery of narcotics or the money, or retaliation for not being sold appropriate amount of narcotics. Three of the disputes are others. The one I've just described. Two are lover's triangles. One is road rage as the Chief just described. Two are classified as unknown including the body found in Indiana and Marine, and four were gang related.

The reason why I describe this to you is numbers don't tell the story. Over half of these, no amount of proactive work could have prevented them and I would be bold enough to say that at least, in my opinion, seven of these, based on the criminal histories of the individuals involved, could have been prevented had consequences for the prior criminal actions, arrests, and

dispositions been a little bit more astringent. So, I just – I'll leave it at that. If you have any questions, I'll be more than happy to answer them for you.

COMMISSIONER CAMPOS: Thank you, President Renne. Thank you, Deputy Chief, for your presentation. I'd like to know a little bit more about any kind of outreach that you're doing with the LGBT community, especially the transgender community, with respect to the body that was found.

DEPUTY CHIEF TABAK: Well, as I mentioned, I've spoken with both (Unintelligible) Ross, the Director of CUAV, and Tina Gallia, the Executive Director for Hate Violence Survivors, along with out Lieutenant from Homicide and Captain of Investigations. We are joining forces and having them disperse the information that we're putting together. We work with them constantly on many levels, not just on hate violence, domestic violence issues, LGBT issues. We have no information right now to even suggest that this homicide, if it, you know, does turn out to be this way, based on the information from the M.E. is anything involving hate motivation. It just happens to be a member of the LGBT community, but we're sensitive to the issues and also request their help, as we do in many of these cases, so a lot of it is phone work, outreach community work by them, by us, flyers that will be disseminated by us and by them, and we meet and we talk on a regular basis and we community both in person, by phone, and verbally. So that's essentially it for now, and once we're able to provide the name, I think we will have a little bit more of the story. There is a twist in this because there's another individual that was seen in the area that we're also trying to identify, potentially a witness.

COMMISSIONER CAMPOS: Thank you for that. What I would say is that without prejudging what happened, I think that there's always a concern when something like this happens, a concern within the community, that members of that community are being targeted. I think it's important to reach out to the community just to (unintelligible), you know, let them know everything you're doing. I think that provides a level of comfort and I know that Commissioner Sparks and I, you know, have talked about this case and we'd be happy to help in any way in terms of reaching out to the community because I do think that's important and I know that I've gotten questions.

DEPUTY CHIEF TABAK: And I appreciate those comments and that's the reason why we immediately reached out to CUAV knowing those concerns and knowing how valuable the community outreach is and that's exactly what we're doing. We want to dispel any misinformation, misconceptions. Once we have a little bit more as to the motive, I think it will go a long way to kind of aleve concerns out there but we don't want to leave anything undone in case it turns out to be something with hate motivation.

COMMISSIONER CAMPOS: Thank you.

DEPUTY CHIEF TABAK: You're welcome

COMMISSIONER LEE: Thank you, Madame President. First, I want to commend Chief Fong. I understand the City Attorney has just add a hate crime charge to the Japantown killing. That was really police good work by this Department. So, thank you.

I also have a question for the Deputy Chief. You mentioned the five killings involving domestic violence. Of the five, how many of them had previous contact with the SFPD? Do you know.

DEPUTY CHIEF TABAK: I don't have that information in front of me. When I say domestic violence, I mean – I don't necessarily mean a domestic violence event meaning that it's domestic in nature where a father, a mother, a son, an uncle, a cousin are involved. It's a familiar environment and two of the homicides included are familial in nature where the murder/suicide where a spouse killed the other spouse for, you know, medical issues and then turn the gun or knife on themselves. So that's what I'm referring to as domestic or family-type homicides. These people had almost no criminal history and I think at one case a minor history.

COMMISSIONER LEE: I'd be interested to get some data from you whether it's for the last year or the last two years of murders involving family situations. Of that, how many cases had a history of contact with the SFPD.

DEPUTY CHIEF TABAK: Of all homicides or just these types of homicides?

COMMISSIONER LEE: No, homicides involving families in domestic situations for some of those whether many of them had had previous contact with the SFPD, what has been done, had there been interventions.

DEPUTY CHIEF TABAK: Certainly.

COMMISSIONER LEE: Is that possible?

DEPUTY CHIEF TABAK: Certainly.

COMMISSIONER VERONESE: Chief, thanks for your presentation. It's good to hear that you're getting the community involvement in resolving these crimes. To kind of change the subject on to the U.S. Attorney issue that's been written about recently. I know that the Police Department had a fairly good relationship with the prior U.S. Attorney, with Mr. Ryan who is no longer there, how is that relationship, if at all, changed? Is there a new U.S. Attorney that's in place? Is Mr. Ryan still there at the time and what's going on with that?

DEPUTY CHIEF TABAK: Mr. Ryan left office I want to say approximately three maybe four weeks ago. I'm happy to report that his replacement interim U.S. Attorney for the Northern District, Scott Scruls has already taken the helm. I've met with Mr. Scruls recently and I expect absolutely no departure from the past practice and trend on being aggressive on gun violence, homicides, drug, reco-trafficking issues and that so he is on the same page with respect to the needs of San Francisco. So, I'm hopeful that we will continue that relationship.

COMMISSIONER VERONESE: That's certainly good news and if you could keep us updated on that, that particular relationship.

DEPUTY CHIEF TABAK: Certainly.

COMMISSIONER VERONESE: Thank you.

COMMISSIONER SPARKS: Thank you, Madame President. Chief, as you know I've been concerned about some of the transgender incidents over the last couple of years and being a very small community in San Francisco, this is the third transgender homicide that has happened over the last, I want to say, three years, which is a little unusual I think for such a small community and as you are award, and I think you're aware of statistics involving the transgender community nationwide where there's at least one or two transgender people involved or murdered monthly in the United States and has been that statistics for many years. So I will also appreciate, and I appreciate you working with CUAV. They're an excellent organization and I think they've been involved in many of the issues of the transgender population and communities through the last, over the last several years but there are some transgender specific organizations that you might be aware of or if not I could certainly put you in touch with that deals specifically with the community, the transgender community. One is the UCSF Trans Project, the other one is Transgender Law Center. You may or may not be aware of these and I would appreciate it if there could be some effort to be made to contact these directly as well, and I know my discussions this afternoon they were very very anxious to be as helpful as they can and they will circulate and talk to people and do whatever they can to assist the investigation. You know this is very very difficult for the community particularly of the three that have happened in the last two or three years, not one has been solved. At least the two previous ones, there's been no arrests, I'll put it that way. So I would appreciate it if as this proceeds I – obviously I wouldn't want you to violate any confidence but if you could give me and possibly Commissioner Campos kind of an up-to-date on any of the things that occur as the investigation proceeds. And, again, I would urge you to contact either myself or Commissioner Campos or any of these other trans specific organizations because my conversations and meetings this afternoon with a couple of them have suggested that again, the community will do whatever is necessary and whatever is possible to assist you and the officers in the investigation.

DEPUTY CHIEF TABAK: Thank you, Commissioner, for the offer of help, and we'll gladly take you up on that offer. If one of the three homicides

you referred to involves the 2004 killing of Tony Green on 3rd Street, actually there was an arrest as you're well aware in that case and unfortunately, the District Attorney chose not to proceed in the matter. We're still working hopefully for some resolution in the very near future. So we'll keep you apprise on that one also. Thank you.

COMMISSIONER MARSHALL: I just want to say I'm encourage to hear – staff snitching is a such a big thing on the streets so to hear that somebody is coming forward in the case and you got closure on the 2005 case and that someone – looks like someone's coming forward on the killing of the young girl, which I know about, it's just really great to hear. So I'm hoping that keeps up. You've always say you can't prosecute these people without witnesses but the fact that folks are coming forward in the face of all the campaign not to makes me feel really good.

DEPUTY CHIEF TABAK: Thank you."

Commissioner Campos asked to get more information on medical cannabis issue from the Department and also from the OCC about the kind of efforts to reach out to that community. Commissioner Campos also asked about the Department's policy about drug testing.

Commissioner Renne would like to know what actions, if any, the Department took with regard to the OCC's 4th Quarter Early Warning System Report.

PUBLIC COMMENT

Unidentified discussed concerns regarding kidnaping and attempts on her life.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

b. Presentation of the Fourth Quarter Early Warning System Report

Ms. Jean Field, Interim OCC Director, reported on the move to 25 Van Ness which has been delayed to the first week of July. Ms. Field also reported on cases opened and closed by the OCC. Ms. Field also presented the 4th Quarter Early Warning System Report.

PUBLIC COMMENT

None

REPORT AND DISCUSSION ON PROCEDURES TO IMPLEMENT THE USE OF HEARING OFFICERS FOR COMMISSION DISCIPLINARY CASES

Commissioner DeJesus reported that the City Attorney's office have made some modifications and is hopeful that next week a draft can be presented to the Commission for review.

Commissioner Sparks asked what form will it take as far a implementation. Ms. Stump, Deputy City Attorney, stated that these will be supplemental rules that describe specifically how a hearing officer would be used and what procedures would apply. This will need to be adopted by the Commission.

APPROVAL OF THE MINUTES FOR THE MEETINGS OF FEBRUARY 14, 2007

Motion by Commissioner Campos, second by Commissioner Marshall. Approved 7-0.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Campos would like the issue of patrol specials on the agenda. Commissioner Campos would like resolutions regarding the Copley matter and journalist Josh Wolf.

Commissioner Marshall would like an update on the Commission's priority list.

PUBLIC COMMENT

None

ADJOURNMENT

Motion by Commissioner Marshall, second by Commissioner Marshall to adjourn the meeting. Approved 7-0.

Thereafter, the meeting was adjourned at 7:16 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, MARCH 28, 2007
5:00 p.m.

SF
P45
#1
3/28/07
special

The Police Commission will be holding a Special Meeting this month at a location other than City Hall.

The Police Commission will hold a joint meeting with the San Francisco Housing Authority Commission on Wednesday, March 28, 2007, at 5:00 p.m., at the African American Art and Cultural Complex, 762 Fulton Street, San Francisco.

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The Police Commission

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Secretary

NOTICE
THE SAN FRANCISCO POLICE COMMISSION
and
THE SAN FRANCISCO HOUSING AUTHORITY COMMISSION

JOINT MEETING
WEDNESDAY, MARCH 28, 2007
5:00 p.m.

SF
P45
#1
3/28/07
joint

The African American Art and Cultural Complex
762 Fulton Street
San Francisco, California

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Pledge of Allegiance; Roll Call

1. Chief's Report (DISCUSSION ONLY)
   a) Youth Initiatives
   b) Trespassing Enforcement
   c) Housing MOU Supplemental Funding

2. SF Housing Authority Director's Report (DISCUSSION ONLY)
   a) Crime reduction and statistics in Public Housing
   b) SFPD Policy of Patrolling Public Housing and increasing patrols
   c) Resident Service Phone Numbers

3. Public Comment
   (Members of the public may address the Police Commission for up to three minutes (unless limited by the Chair) on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

4. Commission Announcements (DISCUSSION ONLY)
   The Police Commission anticipates considering amendments to its Rules of Order at its meeting on April 11, 2007 to allow for assignment of police disciplinary cases to hearing officers.

5. Adjournment (ACTION ITEM)

THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

The Police Commission

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Secretary

SAN FRANCISCO POLICE COMMISSION
and
THE SAN FRANCISCO HOUSING AUTHORITY COMMISSION

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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The proceeding will be held at: The African American Art & Cultural Complex 762 Fulton Street, San Francisco

Accessible MUNI lines serving this location is: #5 Fulton and #22 Fillmore
For information about MUNI service call 923 6142

The closest BART Station is: _____

Accessible parking 762 Fulton Street

For information about the meeting call 553-1667 **(v) or** 553-9194 **(tty)**

MARCH 28, 2007 **JOINT MEETING**

The Police Commission of the City and County of San Francisco held a joint meeting with the San Francisco Housing Authority Commission at The African American Art and Cultural Complex, 762 Fulton Street, San Francisco, at 5:00 p.m.

Roll Call: Police Commission
PRESENT: Commissioner Renne, DeJesus, Lee, Marshall, Sparks
ABSENT: Commissioners Campos, Veronese

Roll Call: Housing Authority Commission
PRESENT: Commissioners Woodruff, Gans, A. Brown, Riley, Larkin, Hsu
ABSENT: Commissioner Brown

Commissioner Renne thanked the Housing Authority for hosting the meeting and for the African American Art and Cultural Complex for the use of their facilities.

Commissioner Woodruff thanked the Police Commission for agreeing to have a joint session with the Housing Authority Commission.

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#2
3/28/07
joint

CHIEF'S REPORT

a. Youth Initiatives
b. Trespassing Enforcement
c. Housing MOU Supplemental Funding

Chief Fong introduced Mr. Daniel Holmsey, Director of the Mayor's Office of Neighborhood Services.

Mr. Holmsey presented certificates to five members of the San Francisco Police Department. Certificates were presented to individual officers for outstanding service.

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Commander Stephen Tacchini, FOB, talked about the Housing MOU supplemental funding.

Lieutenant Mike Slade, Ingleside, talked about Operation Dream and youth initiatives provided by the program.

Sergeant Mikail Ali, Gang Task Force, talked about the gang injunction and trespassing enforcement.

Chief Fong reported regarding the homicide of a 17-year old girl and reported that a 22-year old female and a 14-year old male were taken into custody in connection to this case.

SF HOUSING AUTHORITY DIRECTOR'S REPORT

a. Crime reduction and statistics in Public Housing
b. SFPD Policy of Patrolling Public Housing and increasing patrols
c. Resident Service Phone Numbers

Director Fortner reported on crime reduction and statistics in public housing. Director Fortner introduced Sharon Hewitt, Director CLEAR Project.

Ms. Hewitt talked about violence in the African-American community in the city. She acknowledged Dr. Brown for his leadership.

PUBLIC COMMENT

Wade Wood asked about the Housing Task Force and its recommendations.

London Breed commended officers from Northern Station and discussed concerns regarding the arrest of a 16-year old girl.

Daniel Landry, member of the African American Police Relations Board discussed concerns about community policing.

Ace Washington discussed concerns.

Kevin Bard, SF State University student, discussed concerns regarding a new policy that requires residents of public housing to provide identification to officers at the discretion of the officers.

Jackie Samson discussed concerns regarding public housing.

Jesse Byrd, former SFPD from 1961-1980, discussed concerns regarding officers dealing with the African American community.

Unidentified discussed concerns.

Ace Washington discussed concerns

Arnold Townsend discussed concerns and lack of commercial businesses in public housing complex.

(Commissioner Renne is excused at 7:19 p.m.)

Commissioner Sparks asked about policing in housing developments for seniors and disabled community. Chief Fong stated that that is handled within the district station level. Chief Fong stated that the Captains of each districts are given a listing of all public housing developments within their districts. Commissioner Sparks announced that the report in regards to racial bias profiling will be out in a few weeks.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Lee to adjourn the meeting.

Thereafter, the meeting was adjourned at 7:20 p.m.

_____

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SF
P45
#1
4/14/07

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 4, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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(CLOSED SESSION)
Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Request of the Chief of Police to return Case Nos. C06-024 JCT and C04-005 JWA to the Chief's Office (ACTION ITEM)

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT ST., RM. 505, SAN FRANCISCO, CA 94103-4603 (415) 553-1667 FAX (415) 553-1669

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 4, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6:30 p.m. ***(The Commission will move the agenda to Item #6 at 6:30 p.m.)***

6. Public Hearing: Pursuant to SF Admin Code 19.4(b), discussion and possible action to approve and adopt findings with respect to the proposal of the Mayor's Office of Criminal Justice for pilot installation of Community Safety Cameras at the following locations: (ACTION ITEM)

   Haight and Webster Streets (3) *Seventh and Market Streets (5)*

7. Chief's Report
   a. Update on significant policing efforts by Department members
   b. Presentation of First Quarter 2007 Officer-Involved Discharge Report

8. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

9. Discussion and possible action to adopt a resolution urging the Mayor and the Board of Supervisors to support and formally endorse Assembly Bill 1648, an act to amend Sections 832.5 and 832.7 of the Penal Code, relating to peace officer records (ACTION ITEM)

10. Discussion and possible action to adopt revised Department General Order 10.02, "Equipment" (ACTION ITEM

11. Presentation of the Quarterly Report by the Department and the Office of Citizen Complaints regarding Policy Proposals (Sparks Resolution) (DISCUSSION ONLY)

12. Approval of the minutes for the meeting of February 21, 2007 (ACTION ITEM)

13. Commission Announcements (DISCUSSION ONLY)
    a. Assignment of disciplinary case no. C07-039 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner

14. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 4, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

15. Adjournment

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

PLEASE NOTE: The Police Commission will be holding a Special Meeting this month at a location other than City Hall.

1. The Commission will hold its Community Meeting at the Ingleside District, Visitacion Valley Elementary School, San Francisco, at 6:00 p.m., on Wednesday, April 25, 2007, to hear comments from the public and Ingleside Station Captain Paul Chignell concerning public protections issues in the Ingleside District.

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: DONNA HALL, ADMINISTRATOR, CITY HALL, ROOM 244, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689; OFFICE (415) 554-5163; E-MAIL: Donna Hall@ci.sf.ca.us. COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.ci.sf.ca.us/bdsupvrs/sunshine

Lobbyist Registration and Reporting Requirements
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

SAN FRANCISCO POLICE
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

Communication accessibility services; including sign language Interpreters or computer aided real time captioning will be made available upon advance request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406(tty), at least 72 hours prior to a proceeding. Late requests will be honored if possible.

A **sound enhancement system** will be available on advanced request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty) at least 72 hours prior to a proceeding. Late requests will be honored if possible.

Meeting agendas and other print materials will be made available in **alternate formats** (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call 553 1343 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

The proceeding will be held at: City Hall, Room 400, #1 Dr. Carlton B. Goodlett PLace

Accessible MUNI lines serving this location is: 49 Van Ness/Mission
47 Van Ness, 5 Fulton, 31 Balboa
For information about MUNI service call 923 6142

The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 **(v) or** 553-9194 **(tty)**

APRIL 4, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:44 p.m., in a Regular Meeting.

PRESENT: Commissioner Renne, Campos, DeJesus, lee, Marshall, Sparks
ABSENT: Commissioner Veronese

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

PUBLIC COMMENT

Taken out of order

Dr. Noh discussed concerns.

SF
P45
#2
4/4/07

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by commissioner DeJesus, second by Commissioner Marshall to hold Closed Session. Approved 6-0.

CLOSED SESSION

a. **PERSONNEL EXCEPTION: Request of the Chief of Police to return Case Nos. C06-024 JCT and C04-005 JWA to the Chief's Office** (Resolution No. 33-07 and 34-07)

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(Commissioner Renne is excused at 6:30 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall for non disclosure. Approved 5-0.

PUBLIC HEARING: PURSUANT TO SF ADMIN CODE 19.4(b), DISCUSSION AND POSSIBLE ACTION TO APPROVE AND ADOPT FINDINGS WITH RESPECT TO THE PROPOSAL OF THE MAYOR'S OFFICE OF CRIMINAL JUSTICE FOR PILOT INSTALLATION OF COMMUNITY SAFETY CAMERAS AT THE FOLLOWING LOCATIONS:

Haight & Webster Streets (3)
Seventh & Market Streets (5)

Director Lenore Anderson, MOCJ Director, recommended cameras for the Haight & Webster Streets location and requested an extension for the Seventh & Market Streets location.

Commissioner Campos announced that the Commission will be voting on cameras at Haight & Webster Streets only.

Director Anderson recommends installation of three cameras at the Haight and Webster Streets location.

Supervisor Ross Mirkarimi, District 5, addressed the Commission regarding the installation of safety cameras.

PUBLIC COMMENT

Ace Washington discussed concerns regarding installations of cameras and about how other city agencies does not know what they are doing.

Jeanette Berger stated that police should be more involved in decision on installing cameras.

Greg Bolsinger, lower Haight resident, asked for more data before installing cameras.

Martin, lower Haight resident, expressed opposition to the cameras and asked for more foot patrol instead of cameras.

Mark Schlossberg, ACLU, discussed concerns regarding cameras and asked that the Commission wait until the 6-month evaluation period is over.

Allan White stated that police work can make a change and talked about how UN Plaza was cleaned up from good police work.

Motion by Commissioner Lee, second by Commissioner DeJesus to approve and adopt findings for pilot installations of community safety cameras at Haight and Webster Streets. Approved 5-0.

RESOLUTION NO. 35-07

FINDINGS AND RESOLUTION APPROVING INSTALLATION OF SAFETY CAMERAS ON HAIGHT AND WEBSTER STREETS

WHEREAS, the Community Safety Camera Ordinance (San Francisco Administrative Code, Chapter 19) provides that "San Francisco may install community safety cameras for the purpose of enhancing public security only in locations experiencing substantial crime and where the potential to deter criminal activity outweighs any concerns asserted by the affected community as determined by the Police Commission." Under the Ordinance, where the Director of the Mayor's Office of Criminal Justice finds that the required circumstances are present, the Director may recommend to the Police Commission that new Safety Cameras be installed. The Ordinance provides for public notice and a hearing before the Police Commission. The Ordinance further provides that the Police Commission may approve the installation of the recommended Safety Cameras provided that the Commission finds "that the proposed location is experiencing substantial crime, the potential to deter criminal activity outweighs any concerns asserted by the affected community, and there exists significant support from the affected community for the camera."

AND WHEREAS, the Director of the Mayor's Office of Criminal Justice has recommended that the City install Community Safety Cameras within the immediate vicinity of the following locations, and has submitted the required supporting documentation:

1. *Haight and Webster Streets (3 cameras)*

AND WHEREAS, City officials have provided public notice of the recommended new Community Safety Cameras and the Police Commission hearing, as required by the Ordinance.

AND WHEREAS, the Police Commission noticed and held a public hearing on April 4, 2007, to consider installation of Community Safety Cameras at the recommended location listed above.

AND WHEREAS, at the public hearing on April 4, 2007, the Police Commission received extensive public testimony regarding the recommendation to install Community Safety Cameras at the listed location. Further, the Police Commission also received extensive written comment, by letter and email, regarding the recommendations for Safety Cameras at the above listed location.

NOW, THEREFORE, BE IT:

RESOLVED, that based upon the documents, testimony, and written and oral public comment that the Commission has received, and in the exercise of the Commission's sound discretion and judgment, the Police Commission makes the following findings and determinations:

- Each of the locations recommended for Safety Cameras has and is experiencing substantial crime.

- For each of the locations recommended for Safety Cameras, the potential to deter criminal activity outweighs concerns asserted by the affected community.

- For each of the locations recommended for Safety Cameras, there exists significant support from the affected community for the proposed cameras.

AND FURTHER, BE IT RESOLVED, that based upon the foregoing, including the documents, testimony, and written and oral public comment that the Commission has received, and in the exercise of the Commission's sound discretion and judgment, the Commission hereby approves the installation of Community Safety Cameras within the immediate vicinity of the following location:

1. Haight and Webster Streets (3 cameras)

AND FURTHER, BE IT RESOLVED, that the Department of Telecommunication Information System (DTIS) shall disable or turn off any cameras that are located on the route of a parade, event or demonstration that is permitted under Article 4 of the San Francisco Police Code or Article 21 of the San Francisco Traffic Code, during the time that images of the parade, event or demonstration would otherwise have been captured by the cameras.

AYES: Commissioners Campos, DeJesus, Lee, Marshall, Sparks
ABSENT: Commissioners Renne, Veronese

PUBLIC COMMENT

Gary Delagnes discussed concerns regarding comments made by Commissioner Campos about Sgt. Halloran.

John Nulty, Tenderloin resident, discussed concerns regarding use of the Tenderloin Station community room.

Commissioner Lee asked that public comment be respectful to the Commission.

Commissioner DeJesus agreed with Commissioner Lee and asked that the public respect the Commission as the Commission respects the public's rights to make comments.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

b. Presentation of First Quarter 2007 Officer-Involved Discharge Report

Chief Fong stated that the Commission have been provided the report from Dr. Fridell and that she will be coming to give a more thorough overview about the document. The Chief read one paragraph from the executive summary:

"It's commendable that the city leaders called for this review upon learning of the high arrest disparities in San Francisco. It is also commendable that the San Francisco Police Department has been collecting vehicle stop data since 2001. That said, it is critically important that stakeholders understand that crime and census and stop data can and cannot tell us. Using these sources of dat in an attempt to determine whether or not police are inappropriately using race, ethnicity in making law enforcement decisions is a challenging endeavor at best. Researchers can tell us if a pattern exist, and if those patterns are ties to characteristics such as race, but cannot tell whether racial animus or bias are the reasons for disparate patterns. Conveyed in another way, it is not difficult to measure whether there is disparity between racial ethnic groups in terms of arrest or stops made by police; the difficulty comes in identifying the causes for disparity. Racial disparity in stops, searches, arrests could be caused by police racial bias and/or by an array of other legitimate factors. It is inappropriate to assume from these studies that findings of disparity are findings of police racial bias."

Deputy Chief Keohane presented the First Quarter 2007 Officer-Involved Discharge Report.

PUBLIC COMMENT
None

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Mr. Charles Galman, for the OCC, Director Field is on vacation. Mr. Galman presented the first quarter statistical report. Mr. Galman also stated that the OCC is scheduled to move on July 1st. The OCC is currently working with DTIS to get phone numbers. Mr. Galman stated that once they get the phone numbers, they can send out notices to the various stakeholders.

Commissioner Sparks asked that a written quarterly report be given to the Commission. Mr. Galman advised that he will get it to the Commission tomorrow.

PUBLIC COMMENT
None

DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION URGING THE MAYOR AND THE BOARD OF SUPERVISORS TO SUPPORT AND FORMALLY ENDORSE ASSEMBLY BILL 1648, AN ACT TO AMEND SECTIONS 832.5 AND 832.7 OF THE PENAL CODE, RELATING TO PEACE OFFICER RECORDS

PUBLIC COMMENT

John Tennant, POA Attorney, discussed concerns regarding Assembly Bill 1648.

Mark Schlossberg, ACLU, talked about the need for transparency and asked the Commission to support the legislation.

Chief Fong stated that she does agree with transparency whenever possible but stated that she believes that an officer who is facing disciplinary action before the Commission should have the option of an open or a closed hearing. Chief Fong stated that her goal from her perspective, when it comes to discipline is to have an officer address the situation that brought him/her to the Commission or Chief level, to provide training when appropriate, to also meet out discipline as appropriate, but most importantly, to have that officer return to be a valuable member of the Department and of the community. Chief Fong stated that police officers make mistakes, as everybody else in society, and that they should be given an opportunity and have options in terms of either an open or closed session. Chief Fong also stated that the dispositions

of cases that have come before the Commission and the Chief are listed on the website by case numbers and dispositions as well as the types of allegations.

Commissioner Campos, speaking as the author of this resolution, stated that he does have a great deal of respect for the fact that police officers in this Department have a tremendous job to do and that he has a great del of respect for the job they actually do and that it is out of respect for that that something like this is being introduced because the more people in the city know what police officers do, there will be more trust in the department.

Commissioner Sparks stated that police officers are authorized by the people of the City and County of San Francisco, under certain circumstances, to use deadly force. Commissioner Sparks stated that that puts them under a different classification for disclosure as far as the public right to know as to how an incident unfolded and what occurred and if there was any wrongdoing in that incident.

Commissioner DeJesus stated that transparency is needed in the process and it builds trust in the community.

Motion by Commissioner Lee, second by Commissioner DeJesus. Approved 5-0

RESOLUTION NO. 36-07

RESOLUTION URGING THE MAYOR AND THE BOARD OF SUPERVISORS TO SUPPORT AND FORMALLY ENDORSE ASSEMBLY BILL 1648

WHEREAS, for more than a decade, it has been the policy of the San Francisco Police Commission to have transparency and openness in the handling of police officer discipline by, among other things, holding police officer disciplinary hearings in public and disclosing to the public the identity of any police officer disciplined for misconduct as well as the nature of the misconduct and the discipline imposed; and

WHEREAS, in August 2006, the California Supreme Court issued a ruling in *Copley v. Superior Court*, which severely limited the Police Commission's ability to handle police officer misconduct in a transparent and open manner. As a result of this ruling, hearings, records, and information that were previously public are now confidential and are no longer open to the public; and

WHEREAS, because handling police officer discipline in a transparent and open manner promotes good management, strengthens public trust in the San Francisco Police Department, and validates the conduct of good police officers, Assemblyman Mark Leno recently introduced AB 1648, which would amend California law to allow civilian oversight agencies, such as the San Francisco Police Commission, to hold police officer disciplinary hearings in public and make available to the public information about any police officer who is disciplined for misconduct, including the police officer's identity and the nature of the misconduct and the discipline imposed.

THEREFORE BE IT RESOLVED, that the San Francisco Police Commission urges Mayor Gavin Newsom and the Board of Supervisors to support and formally endorse AB 1648 in order to protect the City and County of San Francisco's long history of transparency and openness in the handling of police officer discipline.

AYES: Commissioners Campos, DeJesus, Lee, Marshall, Sparks
ABSENT: Commissioners Renne, Veronese

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 10.02, "EQUIPMENT"

Captain Anthony Fotinos, Planning Division, presented revised Department General Order 10.02, "Equipment."

PUBLIC COMMENT
None

Motion by Commissioner Marshall, second by Commissioner Sparks. Approved 5-0.

RESOLUTION NO. 37-07

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 10.02, "EQUIPMENT"

RESOLVED, that the Commission hereby adopts revised Department General Order 10.20, "Equipment," as stated below:

EQUIPMENT

This order specifies required and optional equipment for both uniformed and non-uniformed officers.

I. POLICY

A. GENERAL RESPONSIBILITIES OF OFFICERS

1. SAFEKEEPING AND USE. Officers are responsible for the safekeeping and appropriate authorized use of their issued uniform and equipment items. Officers shall maintain uniform and equipment items in a clean and serviceable condition at their expense. Officers are also responsible for promptly reporting the loss, theft, or unserviceable condition of any issued uniform or equipment item.

2. LOANING UNIFORM OR EQUIPMENT ITEMS. Unless exigent circumstances exist, officers shall not loan or supply another person with any uniform or equipment item without the permission of their commanding officer or officer-in-charge.

B. DEPARTMENT-AUTHORIZED FIREARMS: Firearms authorized by the Department as the primary on-duty weapons for officers shall be of the type, make, model and caliber as recommended by the Department Range master and approved by the Chief of Police.

1. OTHER WEAPONS. In accordance with Penal Code § 12030 P.C., and subject to the requirements of local law, the Department Range master may select weapons for use by officers of the Department from those booked with the Property Control Section that would otherwise be subject to destruction. The Range master may issue such weapons to officers working specialized assignments with written authorization from their Deputy Chief. Before carrying these weapons, officers must demonstrate proficiency in their use as required for on-duty secondary weapons (see Section F.4.).

2. THEFT OR LOSS OF FIREARM. An officer shall file a written report through his/her chain of command to the Chief immediately following the loss or theft of any Department-issued or approved

firearm. The report shall include a complete description of the weapon (including the serial number) and contain all the surrounding facts. The officer shall send a copy of the report to the Department Range master.

3. REPAIR OR ALTERATION OF FIREARMS. Department owned firearms shall not be repaired or altered except as authorized by the Department Range master or designated range personnel. Any authorized secondary firearms shall not be altered without authorization of the Department Range master.

4. RANGE REQUALIFICATION. Officers must show proficiency with their Department issued primary firearm in accordance with criteria and frequency as dictated by the Department Rangemaster.

   Officers performing their re-qualification shall use their Department approved primary duty weapon. Weapons approved under any other provision of this order shall not be used during re-qualification.

C. AMMUNITION. Ammunition used in primary on-duty firearms shall be Department-issued. Department-issued ammunition shall not be used in any other weapon, either on or off duty.

D. MAGAZINES

1. On-duty uniformed officers equipped with semi-automatic firearms shall carry at least three fully loaded magazines: one in the weapon and two in a Department-issued double magazine holder pouch on their equipment belt.

2. On-duty plainclothes officers equipped with semi-automatic firearms shall carry at least two fully loaded magazines: one in the weapon, and one in a Department-issued combination handcuff/magazine case.

E. REQUIRED EQUIPMENT

1. ON-DUTY UNIFORMED OFFICERS. Officers of all ranks while on duty in uniform shall be equipped with the following equipment.

   a. Star, displayed on the outermost garment over the left breast.
   b. Department identification card.
   c. Brass nameplate.
   d. Department-issued firearm, fully loaded with Department-issued magazine and ammunition.
   e. Two extra Department-issued magazines (or speed loaders), fully loaded with Department-issued ammunition in a Department-issued double magazine (or speed loader) pouch.
   f. Department-issued impact weapon.
   g. Department-issued handcuffs, case, and key.
   h. Call box key.
   I. Whistle.
   j. Flashlight in good working condition.
   k. Notebook.
   l. Citation book.
   m. Street guide.
   n. Department-issued radio.

   o. Miranda warning card.

p. Department-issued chemical agent.
q. Department-issued holster.
u. Department-issued bullet-resistant vest.

2. ON-DUTY OFFICERS/CIVILIAN DRESS. Officers of all ranks, while on duty in civilian dress, shall be equipped with the following equipment:

a. Star.
b. Department identification card.
c. Department issued firearm fully loaded with Department-issued ammunition.
d. One extra magazine for the Department-issued firearm, fully loaded with Department-issued ammunition in a Department-issued magazine pouch.
e. Handcuffs and key.
f. Call box key.
g. Whistle.
h. Miranda warning card.
I. Combination magazine/handcuff case.
j. Department-issued holster.
k. Department-issued chemical agent.
l. Department-issued impact weapon.
m. Department-issued radio

3. EXCEPTION: Commissioned Officers and Officers performing investigative or non- investigative, non-patrol, or specialized function can be exempted from the requirements previously listed in E-1 and E-2 with their commanding officer's approval. If the amended equipment includes a firearm, the officer must comply with the provisions concerning secondary firearms.

4. EXPOSING WEAPONS. Officers in civilian dress shall not knowingly expose weapons in public unless they conspicuously display their stars.

F. OPTIONAL EQUIPMENT

1. ON-DUTY OFFICERS. On-duty officers may be equipped with the following equipment items, which shall be purchased at the officer's expense:

a. Extra belt keepers.
b. Extra handcuffs.
c. A belt buckle displaying the SFPD star or bearing the words "San Francisco Police Department."
d. A folding knife, if sheathed in a black basket weave leather pouch on the equipment belt or kept in their pocket.
e. A cord-cuff restrainer "hobble," if encased in a black basket weave leather pouch on the equipment belt, for those members trained in the hobble.

2. DEPARTMENT-ISSUED ITEMS ONLY. With the exception of the items in F.1 above, and F.4 below, only Department-issued items are to be worn while in uniform.

3. BULLET-RESISTANT VESTS. All Personnel shall wear a bullet-resistant vest while working undercover operations, except as provides in Section E.3.

4 SECONDARY FIREARMS. An on-duty officer may carry a

concealed second firearm in addition to his/her primary Department issued firearm with the approval of his or her Deputy Chief and Range master. The memorandum shall include weapon and ammunition information. The secondary firearm must either be a double action revolver or a semi-automatic firearm equipped with a first round double action trigger. Single action revolvers, single action and safe action semi-automatic firearms, and derringers of any caliber are prohibited. No reloaded ammunition shall be used.

a. REGISTRATION. An officer who intends to carry a secondary firearm must comply with the following instructions:

(1) Officers must register the secondary firearm by written memorandum to their respective Deputy Chief. The memo must be approved by the Deputy Chief and then routed to the Department Range master. The memorandum must contain a statement of the officer's intention to carry the weapon along with the make, model, caliber, serial number, and barrel length.

(2) All concealable secondary firearms shall be inspected annually by the Department Range master or his/her designee to determine that minimum operational safety and functionality standards have been met. Secondary handguns that do not meet these minimum standards shall not be registered for use and shall not be carried.

b. PROFICIENCY. Before carrying the secondary weapon, the officer must satisfactorily demonstrate proficiency to the Department Range master or his/her designee and demonstrate proficiency annually during any scheduled firearm practice. When demonstrating proficiency, the officer will be required to present a copy of the most recently approved memorandum that registers the weapon with the Department Range master or his/her designee.

c. RECORDS. The Department Range master will ensure that a written certification of proficiency is prepared and forwarded to the Personnel Division for inclusion in the officer's personnel file. A copy shall be retained at the Lake Merced Range.

5. JEWELRY AND ORNAMENTS (also see DGO 11.08, Grooming Standards). On-duty officers shall not wear jewelry or personal ornaments that are visible except:

a. A wristwatch.
b. A total of 2 rings that are consistent with officer safety. An engagement and wedding ring set will be considered as one ring.
c. A conservative tie bar or tie tack.
d Female officers may, in addition, wear the following:

1. Hair clips or pins that match the color of the hair.

2. One ear post in each ear. The post must lie flush with the ear and be plain metal, gold or silver colored. The face of the post is not to have a diameter of more than three-eighths (3/8) inch. Nothing shall hang from the post.

G. OFF-DUTY OFFICERS

1. OPTIONAL EQUIPMENT. Officers of all ranks while off duty may

be equipped with the following:

a. Star.
b. Department identification card.
c. Loaded handgun.
d Department approved handcuffs.
e. Callbox key.
f. Whistle.
g. Miranda warning card.
h. Chemical agent canister.
I. Bullet-resistant vest.

2. STAR AND ID/OFF DUTY. An officer opting to carry a handgun off duty shall be equipped with his/her star and Department identification card.

H. EQUIPMENT USED IN SECONDARY EMPLOYMENT. See DGO 11.02, Secondary Employment.

I. STAR OR BADGE

1. ASSIGNED STARS AND NUMBERS. Officers appointed to the rank of police officer (Q-2) will be issued a Department-owned star with an identifying number. The star and number will remain assigned to the officer throughout his/her employment unless administratively changed.

2. NON-SWORN EMPLOYEES. Certain non-sworn employees may be issued a shield badge with an identifying number.

3. AUTHORIZATION. A member shall not possess any star or badge of the kind or design used by the Department without written authorization by the Chief of Police.

4. OTHER RANKS. Officers appointed to a civil service or exempt rank, other than police officer, must purchase a star with a proper identification number at their expense after obtaining written authorization from the Chief of Police.

J. FLAT STAR. A Member who wishes to purchase a "flat star" may do so, (1) with the written approval of the Chief of Police, and (2) at their own expense. Members shall submit a memo through their chain of command requesting permission to purchase a flat star.

Members are responsible for all costs incurred in te purchase of their flat star. Other requirements are:

1. The flat star shall not be worn as a replacement for the official Department star.
2. Members will be solely responsible for repair or replacement of a flat star. Any lost or stolen flat star shall be reported by the member via incident report and SFPD memo.
3. Members shall own or posses only one flat star.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks
ABSENT: Commissioner Veronese

PRESENTATION OF THE QUARTERLY REPORT BY THE DEPARTMENT AND THE OFFICE OF CITIZEN COMPLAINTS REGARDING POLICY PROPOSALS (SPARKS RESOLUTION)

Captain Fotinos presented the Quarterly Report regarding Policy

Proposals.

Commissioner Sparks asked about the status of General Orders 3.16 and 8.09 which is media relations and release of police reports. Captain Fotinos stated that 3.16 is with the subject matter experts for review.

Commissioner Sparks asked if there is a list of priorities that the Department is working on. Captain Fotinos stated that a priority list have not been developed but he understands that there was anticipation for some direction specifically from the Commission.

Commissioner Sparks asked about 7.01, Juvenile. Captain Fotinos stated that 7.01 has been reviewed by the command staff and that OCC is currently reviewing it. Deputy Chief Keohane stated that command staff did look at 7.01 and the review went back to the subject matter expert for final inclusion of the command staff's recommendations and it should be at the City Attorney's Office within the next two days. Ms. Marion stated that the OCC have reviewed it and anticipates that within the next few weeks it will be presented to the Commission.

Commissioner Sparks asked about 8.12, In-Custody Deaths. Ms. Marion stated that she was just informed by the Department that there will be a new individual who will be taking over for the Department on 8.12 and that she has talked to that individual to schedule a conference to move forward.

Commissioner Sparks asked about the Best Practice Review & Policy recommendation regarding Thurgood Marshall. Deputy Chief Shinn stated he will work on it.

Commissioner Lee asked if it is in the contract that the DGOs go through the POA for meet-and-confer. Captain Fotinos stated that all general orders go to the POA. A number of them the POA sign off on without wishing to involve themselves in the meet-and-confer process. On other ones they do want to sit down and meet and confer for whatever issues they may have regarding the changes in the DGO. Ms. Stump, Deputy City Attorney, stated that it's been the Department's practice to send all the DGOs over to the POA which is a good labor practice for input from labor. Ms. Stump stated that in some cases those are formal and legally required meet-and-confers and in other cases those are more on the level of discussion.

Commissioner DeJesus asked about the canine unit. Deputy Chief Keohane stated that that was a unit ordered and it was agreed that it will be modified. Director Tidwell and Lt. Brown met with Captain McDonagh and Sgt. Banta of the Dog Unit and began drafting it and they have also sent email to the ACLU and invited him to participate.

Commissioner Sparks asked about 5.01, Use of Force. Deputy Chief Keohane stated that he will look into this DGO.

Commissioner Sparks asked about 11.07, Discrimination & Harassment. Captain Fotinos stated that between 2005 and 2006 the Department put out four department bulletins to cover what eventually will be the language of the revised DGO.

PUBLIC COMMENT
None

APPROVAL OF THE MINUTE FOR THE MEETING OF FEBRUARY 21, 2007

Motion by Commissioner DeJesus, second by Commissioner Lee.

Approved 5-0.

COMMISSION ANNOUNCEMENTS

a. **Assignment of disciplinary case no. C07-039 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Resolution 38-07, Assigned to Commissioner Renne)

Commissioner Campos thanked the Department and the Academy for inviting him and Commissioner DeJesus to talk to make presentations to recruits and speak about the Hispanic and Latino Community.

Commissioner DeJesus stated that it was a great experience for her and thanked the Chief and the Sergeants involved.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Campos would like the issue of Patrol Specials on the agenda.

Commissioner Campos talked about a resolution involved Josh Wolf and stated that even though the journalist has been released, Commissioner Campos stated that there are still issues around what happened with that journalist that the Commission needs to look at.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Marshall to adjourn the meeting. Approved 5-0.

Thereafter, the meeting was adjourned at 9:00 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 11, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

12:30 p.m. msf
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(CLOSED SESSION)
Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Status and calendaring of pending disciplinary matters (DISCUSSION ONLY)

   b. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matters of OCC case nos. C06-28 SL and C06-029 SL (ACTION ITEM)

   c. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to adopt statement of decision denying Motion to Dismiss disciplinary charges filed in case nos. C06-030 SL, C06-031 SL, C06-032 SL, C06-033 SL, C06-034 SL, and C06-035 SL under Government Code 3304(d) (ACTION ITEM)

   d. Pursuant to Government Code section 54956.9(b) and San Francisco Administrative Code section 67.10(d):
   CONFERENCE WITH LEGAL COUNSEL: Anticipated litigation:
   Speilbauer v. County of Santa Clara (2007) 146 cal.App.4th914

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 11, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

6. Chief's Report
   a. Update on significant policing efforts by Department members

7. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

8. Report and discussion on procedures implementing the use of Hearing Officers for Commission disciplinary cases (DISCUSSION ONLY)

9. Approval of the minutes for the meeting of February 28, 2007 (ACTION ITEM)

10. Commission Announcements (DISCUSSION ONLY)

11. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

12. Adjournment

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

PLEASE NOTE: The Police Commission will be holding a Special Meeting this month at a location other than City Hall.

1. The Commission will hold its Community Meeting at the Ingleside District, Visitacion Valley Elementary School, 450 Raymond Street, San Francisco, at 6:00 p.m., on Wednesday, April 25, 2007, to hear comments from the public and Ingleside Station Captain Paul Chignell concerning public protections issues in the Ingleside District.

SAN FRANCISCO POLICE
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Accessible parking _____

For information about the meeting call 553-1667 **(v) or** 553-9194 **(tty)**

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

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Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 18, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

11:40 a.m. nsf
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(CLOSED SESSION)
Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54956.9(b) and San Francisco Administrative Code section 67.10(d):
   CONFERENCE WITH LEGAL COUNSEL: Anticipated litigation:
   Speilbauer v. County of Santa Clara (2007) 146 cal.App.4th914 (DISCUSSION ONLY)

   b. Pursuant to Government Code section 54957.6 and San Francisco Administrative Code section 67.10(e):
   LABOR NEGOTIATIONS: Consultation with the City's Labor Negotiation Team: Status of MOU negotiations with the San Francisco Police Officers Association (DISCUSSION ONLY)

   c. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Request for back-pay of suspension dates in Disciplinary Case No. C03-347 JWA (ACTION ITEM)

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 18, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

5. Approval of the Consent Calendar (ACTION ITEM):
   a. Request of Sergeant Frank A. Palma, FOB, for approval to accept tickets, valued at approximately $370.00, from Major League Baseball to attend events to observe on behalf of the Police Department in his role as a planner for the 2007 All Star Game.

   b. Request of Commander Stephen Tacchini, FOB, for approval to accept tickets, valued at $370.00, from Major League Baseball to attend events to observe on behalf of the Police Department in his role as a planner for the 2007 All Star Game.

   c. Request of Captain Denis O'Leary, Southern, for approval to accept the following gifts from Major League Baseball, in order to prepare for the 2007 All Star Game in San Francisco:

      - Airfare from San Francisco to Pittsburgh, PA (valued at $408.90)
      - Lodging at the Pittsburgh, PA Hilton Hotel (valued at $876.00)
      - Tickets for All-Star Sunday, All-Star Workout Day, and All-Star Game (valued $370.00)

6. Public Comment
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7. Chief's Report
   a. Update on significant policing efforts by Department members
   b. Update on Officer-Involved Shooting (OIS) Case Nos. 06-006, 06-007, 06-007, 07-001 per Department General Order 8.11, Rule II.I.1(a)

8. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 18, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

9. Report and discussion on procedures implementing the use of Hearing Officers for Commission disciplinary cases (DISCUSSION ONLY)

10. Approval of the minutes for the meeting of March 7, 2007 (ACTION ITEM)

11. Commission Announcements (DISCUSSION ONLY)

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment

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APRIL 18, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:43 p.m., in Closed Session.

PRESENT: Commissioners Campos, Lee, Marshall, Sparks Veronese
ABSENT: Commissioners Renne, DeJesus

(Commissioners Campos and Marshall were excused at 7:10 p.m.)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Veronese, second by Commissioner Marshall. Approved 5-0.

SF
P45
#2
4/18/07

CLOSED SESSION

a. **CONFERENCE WITH LEGAL COUNSEL: Anticipated litigation: *Speilbauer v. County of Santa Clara* (2007) 146 cal.App.4th914**

b. **LABOR NEGOTIATIONS: Consultation with the City Labor Negotiation Team: Status of MOU negotiations with the San Francisco Police Officers Association**

c. **PERSONNEL EXCEPTION: Request for back-pay of suspension dates in Disciplinary Case No. C03-347 JWA** (Resolution 42-07)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by commissioner DeJesus, second by Commissioner Lee for non disclosure. Approved 4-0.

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APPROVAL OF THE CONSENT CALENDAR

a. **Request of Sergeant Frank A. Palma, FOB, for approval to accept tickets, valued at approximately $370.00, from Major League Baseball to attend events to observe on behalf of the Police Department in his role as a planner for the 2007 All Star Game.**

b. **Request of Commander Stephen Tacchini, FOB, for approval to accept tickets, valued at $370.00, from Major League Baseball to attend events to observe on behalf of the Police Department in his role as a planner for the 2007 All Star Game.**

c. **Request of Captain Denis O'Leary, Southern, for approval to accept the following gifts from Major League Baseball, in order to prepare for the 2007 All Star Game in San Francisco:**

- **Airfare from San Francisco to Pittsburgh, PA (valued at $408.90)**
- **Lodging at the Pittsburgh, PA Hilton Hotel (valued at $876.00)**
- **Tickets for All-Star Sunday, All-Star Workout Day, and All-Star Game (valued $370.00)**

Motion by Commissioner DeJesus, second by Commissioner Veronese to approve the Consent Calendar. Approved 4-0.

RESOLUTION 43-07

APPROVAL OF THE REQUEST OF SERGEANT FRANK A. PALMA, FOB, TO ACCEPT TICKETS, VALUED AT APPROXIMATELY $370.00, FROM MAJOR LEAGUE BASEBALL, TO ATTEND EVENTS TO OBSERVE ON BEHALF OF THE POLICE DEPARTMENT IN HIS ROLE AS A PLANNER FOR THE 2007 ALL STAR GAME

RESOLVED, that the Police Commission hereby approves the request of Sergeant Frank A. Palma, FOB, to accept tickets, valued at approximately $370.00, from Major League Baseball, to attend events to observe on behalf of the Police Department in his role as a planner for the 2007 All Star Game.

AYES: Commissioners DeJesus, Lee, Sparks, Veronese
ABSENT: Commissioners Renne, Campos, Marshall

RESOLUTION NO. 44-07

APPROVAL OF THE REQUEST OF COMMANDER STEPHEN TACCHINI, FOB, TO ACCEPT TICKETS, VALUED AT APPROXIMATELY $370.00, FROM MAJOR LEAGUE BASEBALL, TO ATTEND EVENTS TO OBSERVE ON BEHALF OF THE POLICE DEPARTMENT IN HIS ROLE AS A PLANNER FOR THE 2007 ALL STAR GAME

RESOLVED, that the Police Commission hereby approves the request of Commander Stephen Tacchini, FOB, to accept tickets, valued at approximately $370.00, from Major League Baseball, to attend events to observe on behalf of the Police Department in his role as a planner for the 2007 All Star Game.

AYES: Commissioners DeJesus, Lee, Sparks, Veronese
ABSENT: Commissioners Renne, Campos, Marshall

RESOLUTION 45-07

APPROVAL OF THE REQUEST OF CAPTAIN DENIS O'LEARY, SOUTHERN, TO ACCEPT THE FOLLOWING GIFTS FROM MAJOR LEAGUE BASEBALL, IN ORDER TO PREPARE FOR THE 2007 ALL STAR GAME IN SAN FRANCISCO: AIRFARE FROM SAN FRANCISCO TO PITTSBURGH, PA (VALUED AT $408.90); LODGING AT THE PITTSBURGH, PA, HILTON HOTEL (VALUED AT $876.00); TICKETS FOR ALL STAR SUNDAY, ALL STAR WORKOUT DAY, AND ALL STAR GAME (VALUED AT $370.00)

RESOLVED, that the Police Commission hereby approves the request of Captain Denis O'Leary, Southern, to accept to accept the following gifts from Major League Baseball in order to prepare for the 2007 All Star Game in San Francisco:

- Airfare from San Francisco to Pittsburgh, PA (valued at $408.90)
- Lodging at the Pittsburgh, PA Hilton Hotel (valued at $876.00)
- Tickets for All-Star Sunday, All-Star Workout Day, and All-Star Game (valued $370.00)

AYES: Commissioners DeJesus, Lee, Sparks, Veronese
ABSENT: Commissioners Renne, Campos, Marshall

PUBLIC COMMENT

John Nulty discussed concerns regarding Michael Nulty and the use of the Tenderloin Community Room.

CHIEF'S REPORT

a. **Update on significant policing efforts by Department members**
b. **Update on Officer-Involved Shooting (OIS) Case Nos. 06-006,06-007,06-008,07-001 per Department General Order 8.11, Rule II.I.1(a)**

Chief Fong reported about a number of incidents over the weekend.

Chief Fong talked about a young man who was shot on Friday. The suspect was apprehended the following day. Another incident where five people were injured, one fatal. The suspect was apprehended on this incident. Another incident on 24th and Noe where a suspect hit and struck a vehicle and killed the driver of that vehicle. The suspect was also apprehended.

Commissioner Veronese would like an update next week on those homicide suspects and whether or not they have been charged by the district attorney.

Commissioner Sparks thanked the officers for the good work done over the weekend.

Chief Fong talked about various comments raised by the medical cannabis group at last week's meeting. Chief Fong stated that she had a conversation with the representative and had a subsequent phone call with her and they've identified a number of questions. The Department will do research and then get back to her as well as other representatives of the community. There is a meeting set up in two weeks to meet a group that she will be assembling. Chief Fong stated that just having the conversation was very positive in that some of the representations that were made, the Chief believes that there are some information that needs to be clarified because there are certain statements that are out there that are not base in facts. Chief Fong stated that she just wants to make sure that everyone is on the same page, understanding that the enforcement of marijuana laws is the lowest priority in the Department and at the same time, the Department wants to clarify the whole issue of cross-designation and insure that the community understands what the Department's responsibility is as well as its responsibility in terms of the legislation for the medical cannabis dispensaries. Chief Fong stated that she will report back to the Commission after meeting with the representative.

Commissioner DeJesus asked about Sgt. Halloran and his role in issuing permits. Chief Fong stated that the information that Sgt. Halloran is the only person who has the authority to make that decision is not accurate. Chief Fong stated that there are so many responsibilities in the legislation and some of the responsibilities are with the Department, some are of the Health Department and some are of the community. Chief Fong stated that the person who signs off on those permits as required by the legislation is not Inspector Halloran.

Commissioner Veronese asked that if marijuana enforcement is not a high priority, how much crime is not made a priority by that policy. Chief Fong stated that that is the policy of the city and the Department is required to comply with that. Chief Fong stated that to give a comprehensive respond, it would be more appropriate, for the evening of her presentation on this issue, she can have Chief Tabak make a presentation with specific information.

Chief Fong reported on the recent recruitment of applicants. She stated that this year there will be two additional classes of 50, one in May and one in June, and depending on the numbers, the Chief is hopeful to hire not only those but also some laterals from other police departments.

(The Commission took a break at 7:43 p.m.)

Lieutenant Murphy, Homicide updated the Commission on OIS Case Nos. 06-006, 06-007, 06-008, 07-001 per Department General Order 8.11, Rule II.I.1(a). Lieutenant Murphy stated as follows:

"Good evening, Commissioners, Command Staff: I've been asked to just to update you on the officer-involved shootings that's gone before the 45-day deadline reporting period. The four at 06-006, 06-007, 06-008, and 07-

001. The firs two, 06-006 and 06-007, they are complete and they've been forwarded to MCD, the Management Control Division. They now have them. The letters have come back from the District Attorney's Office. The latter two, 06-008 --

COMMISSIONER SPARKS: So do you have a date to completion of those that they'll be ready for submission to summaries.

LT. MURPHY: MCD takes -- once they get them, they review them, and it goes to the Firearm Review Board so I believe that they have to do it within 120 days?

COMMISSIONER SPARKS: So do you have a projection, Chief, on --

DEPUTY CHIEF KEOHANE: I haven't seen those reports yet, Commissioner, but from they would – from the date they came to the MCD, we have 15 days to review them and provide a – schedule them for the Firearm Discharge Review Board. And if they aren't scheduled by that time, the commanding officer of the MCD will come before the Commission and state the reason why.

COMMISSIONER SPARKS: Okay. And these are shootings not discharges, right?

DEPUTY CHIEF KEOHANE: That is correct.

COMMISSIONER SPARKS: Okay.

LT. MURPHY: Four minutes.

COMMISSIONER DeJESUS: Okay.

LT. MURPHY: 06-008 is the shooting that happened on 25th Avenue. The Homicide Detail's investigation is complete. We're waiting for two final reports: one from the Medical Examiner's Office and one from the District Attorney's Office. And the last one is from Geneva and Mission Street. Again, the Homicide Detail's investigation is complete. We're waiting for the one letter from the District Attorney's Office with, you know, that indicates that they've reviewed it and what their findings and conclusions. That's pretty much it."

Commissioner Sparks asked that Lt. Murphy's report be included in the minutes with the specific case numbers and reasons for each one.

PUBLIC COMMENT
None

APPROVAL OF THE MINUTES FOR THE MEETING OF MARCH 7, 2007

Taken out of order.

Motion by Commissioner DeJesus, second by Commissioner Veronese. Approved 4-0.

OCC DIRECTOR' REPORT

a. Review of Recent Activities

Ms. Jean Field, Interim OCC Director, reported that she has had discussions with the representative from the Mayor's Office who is working with the OCC's budget and stated that the Mayor's Office has not come with a

position on the OCC's budget and she will know in about a week on the budget. Ms. Field also stated that the most recent date on the move is July 1st but that is looking less likely.

PUBLIC COMMENT
None

REPORT AND DISCUSSION ON PROCEDURES IMPLEMENTING THE USE OF HEARING OFFICERS FOR COMMISSION DISCIPLINARY CASES

Commissioner DeJesus stated that she has been working very hard with the Deputy City Attorney with the hearing officer rules. Commissioner DeJesus explained the at the time of the charging document, a notice will go out to the accused member that he has a right to request a hearing from a hearing officer and if that comes in, the President of the Commission will decide whether or not this is a case that should go to a hearing officer and if does, then the rules are set pretty straight forward about how the case should proceed and how the hearing officer will be selected. The hearing officer will not rule on dispositive motions but will rule on non dispositive motions and there are rules set so they can bring in any issues they have or appeals to the Commission. Commissioner DeJesus stated that after the case is concluded, the hearing officer will write a detailed report which would include assessing credibility of the witnesses and his findings which will come before the Commission.

PUBLIC COMMENT
None

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that the next meeting will be in the Ingleside District, Visitation Valley Elementary School, 450 Raymond Street, on Wednesday, April 25th.

PUBLIC COMMENT
None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Sparks would like a report from the Chief regarding collaboration between resource officers at the school and the administration as far as identifying potential incidents like the one at Virginia Tech and also response.

Chief Fong stated that at the time when the Columbine incident happened, the Department put together a program with the schools and with other businesses and provided training and a manual and put all the officers through an active-shooter program. The Chief stated that the Department will provide information to the Commission.

Commissioner Sparks asked that this item be agendized and put notice to the SROs and schools.

Commissioner Sparks would also like the Chief to identify the items she believes that should be reported to the Commission immediately upon them happening such as homicides, officer-involved shootings, press conference, et cetera, and give the Commission a list.

Commissioner Sparks also would like a report on citywide crime trends

by neighborhoods. Commissioner Sparks would like to make a resolution at the Commission as opposed to a citywide ordinance requiring that kind of report every 90 days.

Deputy Chief Keohane explained that the crime mapping software does break the city up into neighborhoods.

Commissioner Sparks would like the whole violent crime citywide by district and those districts broken down by neighborhood.

Chief Keohane stated that he will have the person from the Crime Analysis Unit come and present to the Commission how many neighborhoods is broken down into and perhaps put a plan together where information can be given to the Commission in a relevant time for whatever neighborhood is being addressed.

Commissioner Lee asked about the language access DGO. Chief Keohane stated that it went to the City Attorney's Office and was in contact with the Language Coalition. The Department received it back on Monday and final editing is being done and once that is done it will go to Command Staff for final review then to the POA for a meet and discuss then it will be ready for presentation to the Commission.

Commissioner Sparks asked that election of officers for the Commission be calendared for May 2nd or May 9th. Commissioner Sparks announced that it is her intent to run for President of the Commission.

ADJOURNMENT

Motion by Commissioner Veronese, second by Commissioner DeJesus. Approved 4-0.

Thereafter, the meeting was adjourned at 8:00 p.m.

_____

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 25, 2007
6:00 p.m.

INGLESIDE DISTRICT
Visitation Valley Middle School
450 Raymond Street
San Francisco, California

SF
P45
#1
4/25/07
c.2

Pledge of Allegiance; Roll Call

1. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

2. Chief's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

3. OCC Director's Report (DISCUSSION ONLY)
   a. Report on the function of the Office of Citizen Complaints

4. Commission Announcements (DISCUSSION ONLY)

5. Captain Paul Chignell, Commanding Officer of Ingleside Station, to address the Commission on Police Activities in the Ingleside District (DISCUSSION ONLY)

6. Scheduling of items identified for consideration at future Commission meetings. (DISCUSSION ONLY)

7. Adjournment (ACTION ITEM)

11:05 a.m. msf
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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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The proceeding will be held at: Visitation Valley Middle School 450 Raymond St. SF

Accessible MUNI lines serving this location is: 9X San Bruno, 56 Rutland
For information about MUNI service call 923 6142

The closest BART Station is: _____

Accessible parking 1750 Visitation Avenue

For information about the meeting call 553-1667 **(v) or** 553-9194 **(tty)**

The Personnel of Ingleside Station welcome:

The San Francisco Police Commission Meeting at Visitation Valley Middle School

Come and Join us for The Commission Meeting in our Neighborhood

Wednesday, April 25, 2007
6:00 p.m.

Visitation Valley Middle School
450 Raymond St. San Francisco, CA 94134

- **Parking available in the Visitation Valley schoolyard 1750 Visitation Av.**
- Handicapped Accessible parking/elevator located on 1750 Visitation Av.

Call 404-4000 for further information

Map attached

450 Raymond Ave
San Francisco, CA
94134-2354, US

VISITACION VALLEY MIDDLE SCHOOL

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APRIL ~~28~~, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Ingleside District at the Visitation Valley Middle School, 450 Raymond Street, San Francisco, at 6:29 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Lee, Marshall, Sparks, Veronese
ABSENT: Commissioners Campos, DeJesus

(Commissioner Marshall arrived at 6:25 p.m. Commissioner Veronese arrived at 6:29 p.m. Commissioners Renne and Lee were excused at 7:38 p.m.)

CAPTAIN PAUL CHIGNELL, COMMANDING OFFICER OF INGLESIDE STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE INGLESIDE DISTRICT

Taken out of order.

Captain Chignell addressed the Commission on police activities in the Ingleside Station.

PUBLIC COMMENT

Buch Bugot commended Sgt. Jim Miller, Officers Kirk Yin, Chad Campos, Vic Wie, and Oscar Padilla for their work in the Alemany and Bernal Heights area and discussed concerns regarding the District Attorney's office.

Carolyn Pope discussed concerns regarding lack of police officers in the Visitation Valley neighborhood. She expressed concerns that officers are only concentrated in the Sunnydale and not at Visitation Valley.

Marquita and Stacey, Youth Counsel, asked for support for the Visitation Valley youths and asked for help from the Commission.

Ceyon Jackson, retired physics instructor, discussed concerns regarding violence in the community and asked for the undivided attention of the Commission.

Bonnie, Chinese for Affirmative Action, discussed how the CAA works with the Police Department to communicate directly with the community.

Vincent Chow, Vis Valley Elementary School Principal, discussed concerns and violence in the Sunnydale area and stated that the whole neighborhood can be improved with the help from the Department and the community.

Barbara Gillespie, Program Director Vis Valley Community Resiliency Project, asked the Commission to ask the kids as to what is needed in their community.

Marlene Tran, ESL Teacher, stated that language is the main problem in Visitation Valley and stated that they are here for one reason only and that is to target crime.

Commissioner Lee apologized that there is no translator present this evening and stated that the community should not be intimidated and that this is a community meeting and that the Commission is here for everybody.

Howard Woo commended Captain Chignell and stated that there are good officers in Ingleside Station.

Deborah Smith discussed traffic concerns on Raymond Avenue and safety of kids and pedestrians in the area and asked that in classes for Immigrants that the subject of community work be discussed because there is always something that can be done with each other as neighbors and that there is never going to be enough police. She also discussed the end of Raymond Avenue area should be patrolled more often.

Cindy Choy, Vis Valley resident, discussed concerns regarding crimes in the area and asked for more bilingual police officers to help Asian-Americans.

Saisha, Youth Counsel, asked the Commission to come and get involve in the community.

Robert Layman talked about the Citizen Academy and stated that in order for the Department to get involved with the community, resources are

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needed.

OCC DIRECTOR'S REPORT

a. Report on the function of the Office of Citizen Complaints

Ms. Jean Field, OCC Interim Director, addressed the Commission and described the responsibilities of the OCC.

PUBLIC COMMENT continued

Steve Currier, President of the Outer Mission Residents Association, thanked the Commission for approval of cameras on Geneva & Mission Streets.

Yennen Duc thanked the Commission for coming tonight and discussed concerns regarding pedestrian safety on the corner of Sunnydale and Peabody. She stated that it is a busy corner and is very dangerous for seniors that have to cross the street and asked the Commission to consider putting a stop sign there.

Barbara discussed concerns regarding guns and violence.

Mary Harris, President District 11 Counsel, commended the school resource officers and commended students at Vis Valley Middle School for their pledge to not watch T.V. for 10 days and hopes that results be shared. Ms. Harris commended Captain Chignell for his daily newsletter and for his decoy operation on pedestrian safety.

Kevin Blackwell, SF Safe, stated that one of the main problems in Visitation Valley is being able to understand one another and communicating with each other and stated that a camera is needed somewhere around the Britain Court area.

Karen Wood, Miraloma Park Improvement Program, commended Captain Chignell and his staff for the great work they are doing and asked for more staffing for the Department.

Jim Dierke stated that when the Commission comes back, he will have a translator present. Mr. Dierke also asked for collaboration with the Commission and the school district to have approved safety plans for each school sites.

Commissioner Renne announced that the Chief is not present because she had to go out of town but the Command Staff is available for questions. She also asked if the Commission wants to have a meeting next week or just have interviews for the policy analyst position.

Commissioner Lee addressed Captain Chignell about bilingual officers. Captain Chignell explained that Officer Kirk Yin has been assigned to the Alemany area but stated that there are other bilingual officers available.

Commissioner Sparks asked about community policing. Captain Chignell stated that there are two beats, all on Mission Street. Commissioner Sparks also asked about racial bias policing. Captain Chignell stated that good community policing starts with respecting the community, communicating with the community and having high degree of honesty and ethics. Captain Chignell stated that it's important that the patrol force of the Department represents the actual people that they serve.

ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

11:30 a.m. msf
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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 2, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

SF
P45
#1
5/2/07

(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session
   a. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst
   (DISCUSSION & POSSIBLE ACTION)

(OPEN SESSION)

Pledge of Allegiance; Roll Call

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Approval of the Consent Calendar (ACTION ITEM)
   a. Request of Lieutenant Douglas Greg McEachern for approval to accept the following donated gift from Major League Baseball in order to prepare for the 2007 All Star Game in San Francisco:

- Airfare from San Francisco to Pittsburgh, PA	$408.90
- Lodging at the Pittsburgh, PA Hilton Hotel	$876.00
- Tickets for All-Star Sunday, All-Star Workout Day , and All-Star Game	$370.00

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 2, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

7. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

8. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

9. Approval of the minutes for the meetings of March 21st & 28th, April 4th, 11th, 18th, and 25, 2007 (ACTION ITEM)

10. Commission Announcements (DISCUSSION ONLY)

11. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

12. Adjournment (ACTION ITEM)

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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Accessible MUNI lines serving this location is: 49 Van Ness/Mission
47 Van Ness, 5 Fulton, 31 Balboa
For information about MUNI service call 923 6142

The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 (v) or 553-9194 (tty)

MAY 2, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Marshall, Sparks, Veronese
ABSENT: Commissioner Lee

APPROVAL OF THE CONSENT CALENDAR

a. Request of Lieutenant Douglas Greg McEachern for approval to accept the following donated gift from Major League Baseball in order to prepare for the 2007 All Star Game in San Francisco:

-	**Airfare from San Francisco to Pittsburgh, PA**	**$408.90**
-	**Lodging at the Pittsburgh, PA Hilton Hotel**	**$876.00**
-	**Tickets for All-Star Sunday, All-Star Workout Day , and All-Star Game**	**$370.00**

Motion by Commissioner Sparks, second by Commissioner Campos to approve the Consent Calendar. Approved 6-0.

RESOLUTION 46-07

APPROVAL OF THE REQUEST OF LIEUTENANT DOUGLAS GREG MCEACHERN, TO ACCEPT THE FOLLOWING GIFTS FROM MAJOR LEAGUE BASEBALL, IN ORDER TO PREPARE FOR THE 2007 ALL STAR GAME IN SAN FRANCISCO: AIRFARE FROM SAN FRANCISCO TO PITTSBURGH, PA (VALUED AT $408.90); LODGING AT THE PITTSBURGH, PA, HILTON HOTEL (VALUED AT $876.00); TICKETS FOR ALL STAR SUNDAY, ALL STAR WORKOUT DAY, AND ALL STAR GAME (VALUED AT $370.00)

RESOLVED, that the Police Commission hereby approves the request of Lieutenant Douglas, Southern, to accept to accept the following gifts from Major League Baseball in order to prepare for the 2007 All Star Game in San Francisco:

- Airfare from San Francisco to Pittsburgh, PA (valued at $408.90)
- Lodging at the Pittsburgh, PA Hilton Hotel (valued at $876.00)
- Tickets for All-Star Sunday, All-Star Workout Day, and All-Star Game (valued $370.00)

AYES: Commissioners Renne, Campos, DeJesus, Marshall, Sparks, Veronese
ABSENT: Commissioner Lee

PUBLIC COMMENT

None

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

None. The Chief is attending the Police Memorial in Sacramento.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Ms. Jean Field, Interim Director, reported that she's been working with the Mayor's Budget Analyst and is continuing to work on the budget.

PUBLIC COMMENT
None

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APPROVAL OF THE MINUTES FOR THE MEETINGS OF MARCH 21ST AND 28TH, APRIL 4TH, 11TH, 18TH, AND 25, 2007

Motion by Commissioner Campos, second by Commissioner Veronese. Approved 6-0.

COMMISSION ANNOUNCEMENTS

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Renne announced that Dr. Lorie Fridell will be present next week to report on racial profiling.

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner DeJesus. Approved 6-0.

CLOSED SESSION

a. PERSONNEL EXCEPTION: Public Employee Appointment: Policy Analyst

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Campos, second by Commissioner DeJesus for non disclosure. Approved 6-0.

ADJOURNMENT

Motion by Commissioner Veronese, second by Commissioner DeJesus. Approved 6-0.

Thereafter, the meeting was adjourned at 6:20 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

10:30 a.m. nsf
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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 9, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

Pledge of Allegiance; Roll Call

1. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

2. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members
   b. Presentation by Dr. Lorie Fridell of her report titled "Fair and Impartial Policing: Recommendations for the City and Police Department of San Francisco"

3. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities
   b. Presentation of the OCC's First Quarter 2007 Early Warning System Report

4. Approval of the Consent Calendar (ACTION ITEM)
   a. Request of Officer Richard Lee, Fleet Operations, for approval to accept gift of airfare and one night accommodation, total value of $696.61, from Hendon Publishing to be a judge in the annual Law and Order Police Vehicle Graphics Design Contest

5. Election of Commission Officers per Police Commission Rule 2.3 (ACTION ITEM)

6. Approval of the minutes for the meeting of May 2, 2007 (ACTION ITEM)

7. Commission Announcements (DISCUSSION ONLY)

8. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

9. Adjournment (ACTION ITEM)

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The Police Commission

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YVONNE LEE
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Commissioner

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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(Chapter 67 of the San Francisco Administrative Code)

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Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Accessible MUNI lines serving this location is: 49 Van Ness/Mission
47 Van Ness, 5 Fulton, 31 Balboa
For information about MUNI service call 923 6142

The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 **(v) or** 553-9194 **(tty)**

MAY 9, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:38 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Lee arrive at 6:00 p.m. Commissioner Veronese arrived at 5:43 p.m.)

PUBLIC COMMENT

Lou Calabro, European Americans Group, discussed concerns.
Marlon Crump discussed concerns regarding racial profiling.
Meesha Irizarry discussed concerns regarding racial profiling.
Barry Toronto, Cab Driver, thanked the Chief for assigning Sgt. Reynolds to the Taxi Detail and discussed concerns regarding Officer Carlos Guitierrez.

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CHIEF'S REPORT

a. Update on significant policing efforts by Department members

b. Presentation by Dr. Lorie Fridell of her report titled, "Fair and Impartial Policing: Recommendations for the City and Police Department of San Francisco"

Chief Fong discussed march from Tenderloin Station to City Hall and discussed what the officers of Tenderloin Station as well as the officers of Gang Task Force and Narcotics have been doing.

Commander Tacchini made a presentation as to the request of Commissioner Veronese regarding staffing of Critical Mass. Commander Tacchini reported that there were approximately 2,000 bike riders. There were 41 officers on motorcycles and six Parking & Traffic patrol bicycle officers. There were 11 incidents along the route that required police intervention but no violence ensued.

Commissioner Veronese asked to justify 40 police officers assigned to critical mass to watch over mostly law abiding citizens when Parking and Traffic Officers could probably have done the job. Commander Tacchini stated that to avoid taking officers away from violent areas, officers were held three hours beyond their normal tour of duty for the most part to offset critical mass.

Commissioner Sparks asked about the Tenderloin area. Chief Fong stated that the Captain of Tenderloin and the Investigation Units are working with different City agencies like the Department of Public Works, the Park Police, and the Federal Protective Services to help with the drug problems in the area.

Commissioner Campos announced that Chief Fong will be honored by the Asian and Pacific Islander American Health Forum next week and congratulated the Chief for all the things she has done. Commissioner Campos also talked about demonstrations in regards to immigration issues and asked the Chief to talk about how the police handled the demonstrations on May 1st. Chief Fong stated that the goal of the Department is to work with event organizers and often times event organizers apply for a permit and the Department sits down with them to figure out a route in which they can express their first amendment rights to free speech to walk but not to make such a significant impact with the surrounding communities. The event organizers

also help maintain the peace by having event monitors present so that it is not the officer who has to intervene. The Chief stated that whenever there is communication and a working relationship to show a cause, at the end of the day it's a more peaceful event and people can get their message out.

Commissioner Veronese asked if there are event coordinators for Critical Mass. Chief Fong stated that critical mass is a leaderless group and that it's an event that basically happens and nobody is in charge. Chief Fong explained that unlike sitting down with an event coordinator, with critical mass, there is no route set up in place. Chief Fong stated that the Department have met with the Bicycle Coalition and talked about having a safe riding event.

Chief Fong introduced Dr. Lorie Fridell to present her report.

Dr. Fridell presented her report titled, "Fair and Impartial Policing: Recommendations for the City and Police Department of San Francisco."

Commissioner Veronese asked Dr. Fridell what she would say to the public and the officers that have read the Chronicle article. Dr. Fridell stated that what she would tell the public is that the data doesn't tell them everything that they would like to know about racial bias and policing but that the important thing for them to know right now is that the Police Department has embraced moving forward and implementing a comprehensive program. Dr. Fridell stated that what she would tell the officers is that this is an issue not because they are bad but because they are human like the rest of us and you are held at a higher standard and that is what is being done here.

Commissioner Sparks asked about the advisory committee. Dr. Fridell stated that she recommended in the report that people be put on the committee that would have racial bias policing and trust with police as a priority and that she recommended that the Chief should develop the committee because the Chief should be held accountable for implementation. Dr. Fridell stated that in terms of representation of law enforcement on the community, she stated that there are various ways to measure diversity. Dr. Fridell stated that she believes that the racial and ethnic diversity should be there but also diversity up and down the ranks.

Commissioner Sparks asked how this program is implemented within the Department. Dr. Fridell stated that she has been working with Chicago and stated that San Francisco is the first city that she knows of that is doing a comprehensive program. Dr. Fridell stated that the Chief should make the decision and that the Chief needs to have the advisory board and she needs to staff it sufficiently so that there is someone that's meeting the needs of the advisory board.

Commissioner DeJesus asked if living in the community they serve enhance the officer's ability to police in an unbiased manner. Dr. Fridell stated that officers who come from backgrounds where they are exposed to a lot diversity probably have a head start on maybe some officers that came from less diverse communities. Dr. Fridell stated, however, that she does not think what diversity does necessarily imply that the people that are diverse don't practice racial bias policing. Dr. Fridell stated that she believes that having a diverse department is enhancing the trust and the credibility of the Department in the community.

Commissioner Campos asked if there is racially biased policing going on in San Francisco. Dr. Fridell stated she would guess yes because the Department is hiring human beings to do the job and is hiring from a society that has bias. Commissioner Campos asked if there is something else that should be done beyond having this report. Dr. Fridell stated that there is

nothing that she left out for any reason and that she hopes that she hit upon the key issues for the Department.

Commissioner Campos asked regarding the advisory board and asked where does the Commission, other than receiving the report, and where does the Board of Supervisors come into the process on how the advisory board goes forward. Dr. Fridell stated that it is her understanding that the Chief is responsible to the Commission and so in implementing these recommendations that's why she will be coming forth monthly. Dr. Fridell stated that she did not make the Board of Supervisors a player in this process because she felt the key roles will be played by the Chief, the Police Commission, and the Mayor's Office.

Commissioner Campos asked if there is a concern that San Francisco being San Francisco where people value community input and that having this approach makes it seemed too top down and that the various communities does not have as much of a role as maybe they should have. Dr. Fridell stated that that is one of the benefit of having the Chief in charge and if you are going to make her accountable for this, she needs to pick her team.

Commissioner Marshall stated that just not getting an adequate as to why the encounter is happening is devastating. Commissioner Marshall talked about the mentality of us against them and stated that there is a huge gap in trust and perception and to bridge that gap is something that has to be fully committed upon.

Commissioner Sparks asked that, based on the comments that were made and the report, that the headline in tomorrow's Chronicle is going to be, "The San Francisco Police Department is Racially Biased." Commissioner Sparks asked if Dr. Fridell was writing that headline, how would she put it because such a headline would be inflammatory and it may or may not be accurate but it also does not contain all the information that this comprehensive report contains. Dr. Fridell stated that she would like to change the headline to what the City has done and the headline would be, "San Francisco Embraces a Model Program to Insure Fair and Impartial Policing."

Commissioner Lee asked about officers living in the city and residential requirements for the officer. Dr. Fridell stated that she does not have a response but stated that the Department need to think about all kinds of ways to bring all kinds of people in.

Commissioner Renne thanked Dr. Fridell for her report and suggested that within three to four weeks if the Chief can report back to the Commission what steps have been taken or will be taken and if there are any budget implications that need to be considered.

PUBLIC COMMENT:

Meesha Irizarry discussed concerns regarding public's perception of the Department.

Marlon Crump asked that somebody from the community be part of the board.

Barbara Growth discussed concerns.

ELECTION OF COMMISSION OFFICERS PER POLICE COMMISSION RULE. 2.3

Taken out of order.

Commissioner DeJesus asked this item be called.

Commissioner Renne asked Commissioner Campos to take the Chair.

Commissioner DeJesus nominated Commissioner Sparks for President.

Commissioner Renne made a statement about youth crimes in the City and nominated Commissioner Joe Marshall for President.

Commissioner Sparks made a statement and stated that this Commission should have as much transparency, as much accountability, and this Commission be held responsible for not only holding itself accountable but also holding the Department accountable for the rules and regulations and orders and policies that are in place and generated by this Commission.

Commissioner Lee made a statement and talked about youth delinquency in the City and supported Dr. Marshall for President.

Commissioner DeJesus made a statement and talked about what Commissioner Sparks has done for the Commission and supported Commissioner Sparks for President.

Commissioner Campos made a statement and thanked Commissioner Renne for her service in the Commission. Commissioner Campos stated that he will support Commissioner Sparks for President.

PUBLIC COMMENT

Meesha Irizarry discussed concerns.

Commissioner Veronese made a statement and voted for Commissioner Sparks for President.

Commissioner Sparks thanked the Commission for their support.

Commissioner Veronese nominated Commissioner Marshall for Vice President.

Commissioner Campos nominated Commissioner DeJesus for Vice President.

RESOLUTION NO. 48-07

ELECTION OF PRESIDENT OF THE POLICE COMMISSION

RESOLVED, that Commissioner Theresa Sparks shall serve as President of the San Francisco Police Commission.

AYES: Commissioners Campos, DeJesus, Sparks, Veronese
NAYS: Commissioners Renne, Lee, Marshall

ELECTION OF VICE PRESIDENT OF THE POLICE COMMISSION

RESOLVED, that Commissioner Joe Marshall shall serve as Vice President of the San Francisco Police Commission.

AYES: Commissioners Renne, Lee, Marshall, Veronese
NAYS: Commissioners Campos, DeJesus, Sparks

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

b. Presentation of the OCC's First Quarter 2007 Early Warning System Report

Ms. Jean Field, Interim OCC Director, presented the First Quarter 2007 Early Warning System Report. Ms. Field explained that the report is submitted

to the Management Control Division (MCD) and Risk Management Office and they take several steps, depending on the individual officer's history. The officer will be subject to either counseling with his/her superior officer or the other levels of intervention that are outlined in the General Order so that the officer has one-on-one counseling with the superior officer and MCD is also kept informed.

PUBLIC COMMENT

Meesha Irizarry discussed decentralization of the OCC.

APPROVAL OF THE CONSENT CALENDAR

a. Request of Officer Richard Lee, Fleet Operations, for approval to accept gift of airfare and one night accommodation, total value of $696.61, from Hendon Publishing to be a judge in the annual Law and Order Police Vehicle Graphics Design Contest

Motion by Commissioner DeJesus, second by Commissioner Veronese. Approved 7-0.

RESOLUTION 47-07

APPROVAL OF THE REQUEST OF OFFICER RICHARD LEE, FLEET OPERATIONS, FOR APPROVAL TO ACCEPT GIFT OF AIRFARE AND ONE NIGHT ACCOMMODATION, TOTAL VALUE OF $696.61, FROM HENDON PUBLISHING TO BE A JUDGE IN THE ANNUAL LAW AND ORDER POLICE VEHICLE GRAPHICS DESIGN CONTEST

RESOLVED, that the Police Commission hereby approves the request of Officer Richard Lee, Fleet Operations, to accept gift of airfare and one night accommodation, total value of $696.61, from Hendon Publishing to be a judge in the annual Law and Order Police Vehicle Graphics Design Contest.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

APPROVAL OF THE MINUTES FOR THE MEETING OF MAY 2, 2007

Motion by Commission DeJesus, second by Commissioner Marshall. Approved 7-0.

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that there will be a special meeting on Monday, May 14th.

Commissioner Campos announced that Commissioner Sparks is the new Police Commission President and Commissioner Marshall will be Vice President.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner DeJesus would like a newsletter to be read to the rank and file officers.

Commissioner Veronese would like the Department to come up with a plan to phase out gas guzzling vehicles and replacing them with energy efficient vehicles.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 7-0.

Thereafter, the meeting was adjourned at 8:51 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
MONDAY, MAY 14, 2007
3:30 p.m.

CITY HALL, ROOM 034
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

1:50 p.m. msf

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(CLOSED SESSION)
Pledge of Allegiance; Roll Call

1. Public Comment on all matters pertaining to Closed Session

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session (DISCUSSION ONLY)

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: OCC Director Position (DISCUSSION & POSSIBLE ACTION)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst (DISCUSSION & POSSIBLE ACTION)

4. Possible report on action taken in Closed Session, pursuant to Government Code section 54757.1 and S.F. Administrative Code section 67.12(b). (ACTION ITEM)

5. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

6. Adjournment (ACTION ITEM)

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

SPECIAL MEETING
3:30 p.m.

CITY HALL, ROOM 434
#1 Dr. Carlton Goodlett Place
San Francisco, California

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PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

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The Police Commission

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Commissioner

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Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 16, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

11:05 a.m. MSF
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Pledge of Allegiance; Roll Call

1. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

2. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members

3. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities
   b. Presentation of the OCC's Annual Audit under the Department's General Order 8.10, "Guidelines for First Amendment Activities"
   c. Presentation of the OCC's First Quarter 2007 Statistical Report

4. Discussion and possible action to adopt revised Department General Order 6.17, "Taxicab Regulations" (ACTION ITEM)

5. Commission Announcements (DISCUSSION ONLY)

6. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

7. Adjournment (ACTION ITEM)

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PLEASE NOTE: The Police Commission will be holding a Special Meeting this month at a location other than City Hall.

1. The Commission will hold its Community Meeting at the Southern District, in the Gene Friend Recreation Center, 270 Sixth Street, San Francisco, at 6:00 p.m., on Wednesday, May 30, 2007, to hear comments from the public and Southern Station Captain Denis O'Leary concerning public protections issues in the Southern District.

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
#1 Dr. Carlton Goodlett Place
San Francisco, California

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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47 Van Ness, 5 Fulton, 31 Balboa
For information about MUNI service call 923 6142

The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 (v) or 553-9194 (tty)

MAY 16, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:34 p.m., in a Regular Meeting.

PRESENT: Commissioners Campos, DeJesus, Lee, Marshall, Sparks, Veronese

PUBLIC COMMENT

None

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Deputy Chief Tabak, for Chief Fong, updated the Commission regarding a press conference to introduce legislation, drafted by the Mayor's Office, with respect to gun legislation, controls and safety measures.

Chief Tabak also reported that the Department has been working with Supervisor Alioto-Piers' office for legislative aide along with Supervisor Mirkarimi and his legislative aide in drafting language that is consistent with the MCD protocol permitting issues that he will be speaking about next Wednesday.

Commissioner Campos requested that if there are any press conferences that involve the Police Department, that members of the Commission be informed in advance.

Commissioner Veronese stated that he had prepared a resolution that included that and addresses that issue.

Commissioner Sparks stated that she received a number of emails about alleged harassment of people from the gay/lesbian community who were in and around Buena Vista Park starting last Thursday night, Friday night, and Sunday night and stated that there appears to have been enhanced enforcement and that part of that was retribution by certain officers of the Department to her election as President to the Commission and asked the Chief to investigate and if she can be informed.

Commissioner Campos stated that he also received several messages and would like to know by next week.

Chief Tabak suggested that if the Commissioners have any emails to please forward it to him.

PUBLIC COMMENT

None

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

b. Presentation of the OCC's Annual Audit under the Department's General Order 8.10, "Guidelines for First Amendment Activities"

c. Presentation of the OCC's First Quarter 2007 Statistical Report

Ms. Jean Field, Interim OCC Director, updated the Commission regarding the Language Access DGO. Ms. Field presented the OCC's Annual Audit under DGO 8.10 and the OCC's First Quarter 2007 Statistical Report.

Commissioner Sparks asked about the budget. Ms. Field stated that she doesn't have anything new to report. Ms. Field stated that last week she reported that she met with the their budget analyst and the Mayor's head

budget analyst. She stated that she did the best that she could to substantiate why the OCC is asking for the different funds asked for, gave them supplemental materials in response to some of the questions that they had. Ms. Field stated that the Mayor's budget analyst stated that since she is the interim director and that the budget is proposed by an interim director, they are inclined to hold off on providing more money until there is a permanent director. In the mean time, Ms. Field is continuing to meet with members of the Board of Supervisors so that they understand what the OCC is asking for and why.

PUBLIC COMMENT

Steve Johnson, POA, discussed concerns regarding civil claims going to the OCC and the OCC filing a complaint against the officer without talking to the complainant.

Commissioner Sparks asked that Ms. Field to address the concerns of the POA. Ms. Field explained that the Department started to forward civil claims to OCC for investigation and what she has done is draft some trial procedures by which to investigate these claims. Ms. Field stated that the OCC has an existing policy from 1997 that laid out how the OCC would investigate these. Ms. Field stated that they've changed the policy so that they are investigating all of those claims and they are allowing complainants of opt out, allowing them to withdraw and they have gotten some of those which is encouraging because the people contacted understands what the process is and what the OCC is doing. Ms. Field stated that she hopes to report back to the Commission in about two months about the results of these types of claims.

Commissioner Campos suggested that people should say what they want to say tonight but save the bulk of the discussion for a future meeting that is properly agendized and that it should be with the OCC, the POA, and the Department speaking.

Mr. Steve Johnson asked the Commission for a directive to the OCC saying no more independent OCC complaints filed against officers unless you have verification from the claimant that they want to file a complaint.

Commissioner Veronese suggested that this issue needs to be addressed with all the parties and asked the POA to sit down with the OCC and with the Chief to figure something out. He also asked Ms. Field to give the Commission the OCC policy that's been discussed with the POA and the Department.

Commissioner Sparks asked that this be put on the agenda for June 23rd and that would give everybody to sit down and review this and even if the details are not worked out among the Department and the OCC and the POA at least there would be a date certain in which the OCC can have a draft policy prepared to be discussed.

Commissioner DeJesus suggested that the OCC keep track of the cases that are within this grey area and then when a policy that everyone agrees on is adopted then maybe the status of those cases can be revised.

Commissioner Sparks asked Ms. Field to forward the policy to Sgt. Reilly to be forwarded to the entire Commission.

Mr. Johnson stated that since the OCC stated that it is a new policy, it is subject to meet-and-confer and would like to put the City Attorney on notice, on the record, so that any further use of that new policy without meeting and conferring would be a violation and that the POA would seek sanctions if they continue to do so.

PUBLIC COMMENT

Daniel Pais discussed concerns about the size of the OCC staff.

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 6.17, "TAXICAB REGULATIONS"

Captain O'Neill, Support Services, presented DGO 6.17, "Taxicab Regulations."

Commissioner Sparks asked what does the Department do as far as taxicab enforcement as opposed to the Taxi Commission. Captain O'Neill explained that the Taxi Commission was established in 1999. At that time the Commission was not a Department and the Police Department was still performing all of the administrative and enforcement functions. Captain O'Neill stated that within the last two years they started acquiring a staff and the Department has been in the process of transferring many of the administrative duties over to the Taxicab Commission and the Department's staff has been reduced to an inspector and two officers.

PUBLIC COMMENT

Cory Lam, taxi driver, discussed concerns regarding unauthorized cabs in San Francisco and discussed public safety issues.

Motion by Commissioner DeJesus, second by Commissioner Sparks. Approved 6-0.

RESOLUTION NO. 49-07

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 6.17, "TAXICAB REGULATIONS"

RESOLVED, that the Commission hereby adopts revised Department General Order 6.17, "Taxicab Regulations,"as stated below:

TAXICAB REGULATIONS

This order established procedures for the enforcement of regulations affecting taxicabs, promulgated by the San Francisco Taxicab Commission, and that are jointly enforced by this department, along with other law applicable to taxis. Taxi Commission regulations address such issues as lighting, equipment, display of identification cards, etc. Members may obtain a copy of the regulations by calling the Taxicab Enforcement Unit.

I. PROCEDURES

A. VIOLATIONS OF TAXICAB REGULATIONS. If you observe a violation of the Taxicab Regulations, follow **ONE** of these procedures:

1. Issue a verbal admonishment; or

2. Issue a "San Francisco Police Department Taxi Detail Administrative Citation" for the appropriate violation; or cite to cab class on any Thursday within 30 days; or

3. If you are unclear as to what action is warranted, prepare a memorandum briefly outlining the circumstances and forward to the Taxi Detail.

B. ROUTING. Route one copy of the memorandum or the "Taxi Detail" copy of an administrative citation through channels to the Taxicab Detail.

C. COMPLAINTS BY THE PUBLIC. When informed by a person of a violation of the Taxicab Regulations, follow these

procedures:

1. COMPLAINT CARD. Advise the person to telephone or mail a complaint card to the Taxi Detail. All taxicabs are required to be equipped with complaint cards.

2. MEMORANDUM. If the person insists that you record the violation, prepare a memorandum and forward it through channels to the Taxicab Detail.

D. OTHER VIOLATIONS. Upon observing a violation of the Municipal Police Code, Traffic Code, California Vehicle Code or Business and Professional Code, issue the appropriate citation or make an arrest consistent with Department policies and procedures for citations and arrests (See DGO 5.06) and Traffic Enforcement (See DGO 9.01). A copy of any incident report related to enforcement against taxis should be routed to the Taxicab Detail.

References
DGO 5.06, Citation Release
DGO 9.01, Traffic Enforcement

AYES: Commissioners Campos, DeJesus, Lee, Marshall, Sparks, Veronese

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that the Commission will meet in the South of Market District at the Gene Friend Recreation Center at 270 Sixth Street.

Commissioner Lee commented that the District Meeting starts too late for seniors and children and asked if it can start earlier.

Commissioner Campos announced that the community meeting on May 30th will start at 5:00 p.m.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Lee asked about the language access DGO. Deputy Chief Keohane stated that the Department will be meeting with the POA next week and would like to see it calendared around the second week of June.

Commissioner DeJesus asked about the juvenile DGO. Chief Keohane stated that the OCC asked for further modification and is going back to parties involved.

ADJOURNMENT

Motion by commissioner DeJesus, second by Commissioner Lee. Approved 6-0.

Thereafter, the meeting was adjourned at 6:51 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 23, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

10:40 a.m. nst

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(NOTE: Early start time of 5:00 p.m.)

(CLOSED SESSION) Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Request for back-pay of suspension dates in Disciplinary Case No. C06-024 JCT (ACTION ITEM)

   b. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:
   PERSONNEL EXCEPTION: Discussion and possible action to grant Motion to Dismiss disciplinary charges in Case No. C03-0145 CCL (ACTION ITEM)

   c. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst (DISCUSSION & POSSIBLE ACTION)

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 23, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members
   b. Presentation re: SFPD Medicinal Marijuana Policy

7. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

8. Discussion and possible action to adopt Procedures implementing the use of Hearing Officers for Commission disciplinary cases (ACTION ITEM)

9. Commission Announcements (DISCUSSION ONLY)
   a. Reassignment of the following disciplinary cases to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner:
      - C03-123 JWF
      - C06-030 SL, C06-31 SL, C06-32 SL, C06-033 SL, C06-034 SL, & C06-035 SL
      - C07-014 SM
      - C07-039 ALW

10. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

11. Adjournment

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

CITY HALL, ROOM 400
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MAY 23, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:22 p.m., in a Regular Meeting.

PRESENT: Commissioners Campos, DeJesus, Lee, Marshall, Veronese
ABSENT: Commissioner Sparks

(Commissioner Marshall arrived at 5:44 p.m.)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Lee. Approved 4-0.

CLOSED SESSION

a. **PERSONNEL EXCEPTION: Request for back-pay of suspension dates in Disciplinary Case No. C06-024 JCT** (Resolution 50-07)

b. **PERSONNEL EXCEPTION: Discussion and possible action to grant Motion to Dismiss disciplinary charges in Case No. C03-0145 CCL** (Resolution No. 51-07)

c. **PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst**

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall for non disclosure. Approved 5-0.

PUBLIC COMMENT

Jazzie Collins discussed concerns regarding gender profiling.

Morena Castaneda discussed concerns regarding an incident that happened on May 11th.

CHIEF'S REPORT

a. **Update on significant policing efforts by Department members**
b. **Presentation re SFPD Medicinal Marijuana Policy**

Chief Fong presented a Certificate of Appreciation of Ms. Barbara Lynn, SF Safe, who will be retiring.

Chief Fong reported regarding questions asked by the Commission regarding enhanced enforcement around Buena Vista Park. Chief Fong stated that the Department looked at all the calls from January 17th to May 17, 2007 and over the course of all of those days, the highest number of contacts was in March and that was six calls on a given day. Chief Fong stated that they also looked at the Assisted Dispatch System to see if there was anything in the system. Chief Fong stated that what they found is something happened between the 14th of May and the 15th of May, late the 14th or early on the 15th.

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Chief Fong stated that there was a B priority call at Buena Vista Park in which a sergeant from the Park District was flagged down by an individual on Haight Street and reported that he believed that there was a fight going on up in the Park and that there were two individuals involved. The sergeant responded into the park and broadcast it over the air so that other units could respond. The two individuals were located. They were identified and released at the scene.

Chief Fong also reported on the Limited English Proficiency issue and statements made about the delay in bringing this forth. Chief Fong stated that this is an issue that is very important to the Department and the Department is required, by city mandate, to provide services to all individuals regardless of their proficiency in English. Chief Fong stated that she will have a packet for the Commission's Friday packet in regards to this issue.

Commissioner Lee requested that the Chief send a letter to the editor of the Chronicle in response to the editorial.

Deputy Chief Tabak gave a brief presentation on the topic of Medical Marijuana. This presentation is to educate and inform everyone on the Department's Medical Marijuana Policy but in particular to clear up misconceptions about this topic and what part the SFPD plays in the process. Lieutenant Rick Parry, Narcotics, was also present and talked about enforcement.

Commissioner Campos thanked the Chief and the Lieutenant for really trying to bridge the gap between the community and the Department and engaging in dialogue to address this issue.

PUBLIC COMMENT

Francio Salazar, Local 22 member, came to support the revitalization of the city under the Mayor's program and discussed concerns regarding medical marijuana.

Shauna Goldner, member of the Marijuana Working Group, talked about roundtable discussions with Chief Fong and Deputy Chief Tabak.

Dr. Maggie Rubenstein thanked Chief Fong and Deputy Chief Tabak for meeting with the concerned members of the cannabis community.

Russell Kyle commended the Chief and her staff.

Unidentified, 4th generation San Franciscans, discussed concerns.

Chief Fong showed the Commission the Bicycle Safety PSA that was provided to the media.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Acting Director Jean Field updated the Commission regarding an event attended by some investigators sponsored by the SF Safe. Ms. Field stated that the latest date for the move will be mid-August.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO ADOPT PROCEDURES IMPLEMENTING THE USE OF HEARING OFFICERS FOR COMMISSION DISCIPLINARY CASES

Commissioner DeJesus thanked Deputy City Attorney Molly Stump for working with all the groups to get the rules done and urged the Commission's approval.

PUBLIC COMMENT

John Tennant, POA Attorney, stated there was a lot of work that was done with these procedures and the POA is in agreement and will streamline the disciplinary process and urged the swift passage of these procedures because they will resolve an issue during contract negotiations as part of the proposed MOU with the city.

Motion by Commissioner Lee, second by Commissioner Marshall to adopt the procedures for hearing officers. Approved 5-0.

RESOLUTION NO. 52-07

ADOPTION OF PROCEDURES IMPLEMENTING THE USE OF HEARING OFFICERS FOR COMMISSION DISCIPLINARY CASES

RESOLVED, that the Police Commission hereby adopts the following procedures implementing the use of Hearing Officers for Commission disciplinary cases:

POLICE COMMISSION
SUPPLEMENTAL RULES GOVERNING
ASSIGNMENT OF POLICE DISCIPLINE CASES
TO A HEARING OFFICER

I. INTRODUCTION

Under Charter Section A8.343, a uniformed member of the Police Department ("Department") shall not be subject to dismissal or punishment for any breach of duty or misconduct, including any violation of the Department's Rules and Regulation, General Orders, Bulletins, Policies or Procedures, except for cause.

The Chief of Department can impose disciplinary suspensions not to exceed 10 days, subject to a suspended member's right to appeal the suspension to the Police Commission ("Commission"), and have a trial and hearing on that suspension.

If the Chief determines that a member's breach of duty or misconduct warrants discipline in excess of a 10-day suspension, the Chief must file verified charges with the Commission, setting forth the acts that the Chief has determined constitutes a breach of duty or misconduct. In addition, if the Office of Citizen Complaints ("OCC") sustains a complaint against a member and recommends discipline in excess of a 10-day suspension, the OCC Director may file charges against that member with the Commission, as provided by the Charter.

After reasonable notice, the Commission must afford the accused a fair and impartial trial and hearing on the charges. The accused member is entitled to appear personally and by representative, to have a public trial, and to secure and enforce, free of expense, the attendance of all witnesses necessary for his or her defense. The Department or OCC has the burden of proving a breach of duty or misconduct by the accused member by a preponderance of the evidence.

The Commission may adopt rules establishing the procedures that will govern the trial of disciplinary cases.

II. PROCEDURE FOR ASSIGNING DISCIPLINARY CASES TO A HEARING OFFICER

A. Initial Action on Appeal or Charges; "Request for Public Hearing" form.

When the Commission receives a member's notice of appeal or a charge

filed by either the Chief of Department or the OCC Director, the Commission Secretary shall notify the Commission President and shall include the case on the agenda for the next available Commission meeting. The Commission Secretary shall promptly notify the member, and his or her representative, if known, that the case has been set on the Commission's agenda. That notice shall be both oral and in writing. In addition, the Commission Secretary shall promptly send the accused member, and his or her representative, if known, a "Request for Public Hearing" form. A copy of that form is attached to these Supplemental Rules as Exhibit A. The member must complete and return the form to the Commission Secretary within 10 calendar days of the date of the Secretary's correspondence enclosing the form.

B. **Initial Commission Meeting on Appeal or Charges.** The Commission President shall determine whether the case is appropriate for assignment to a Hearing Officer under these procedures. Notwithstanding the requirement in Department General Order 2.07, that "the subject officer, or his/her designated representative, shall attend each session of the Police Commission at which the pending charges appear on the agenda," the accused member is not required to attend the Police Commission meeting described in this paragraph, either personally or through a representative. The member or his or herrepresentative may appear and indicate whether the member wishes the case assigned to a Hearing Officer. The President will consider a member's request to assign the matter to a Hearing Officer, but retains full discretion to make the assignment he or she deems most appropriate under all the facts and circumstances. If the President decides to assign the case to a Hearing Officer, the President shall announce the assignment at the Commission meeting.

C. **Notice of Assignment to Hearing Officer; "Consent to Assignment to Hearing Officer" form.** If the President assigns the case to a Hearing Officer, the Commission Secretary shall promptly send a written notice to the member and any representative, if known; to the Chief of Police; and, where applicable, to the OCC Director. The notice shall advise the parties that the Commission had assigned the matter to a Hearing Officer. With the notice, the Commission Secretary shall also send the accused member and any representative, if known, a "Consent to Assignment to Hearing Officer" form and copies of these procedures. A copy of that form is attached to these Supplemental Rules as Exhibit B.

If the member consents to have the hearing conducted by a Hearing Officer, the member must complete the "Consent to Assignment to Hearing Officer" form and return it to the Secretary within 14 calendar days of the date of the Secretary's notice. If the member timely returns the form, the parties will select a Hearing Officer under the procedures described in Section III, below. If the member does not consent to assignment to a Hearing Officer, the member or his or her representative should inform the Commission Secretary as soon as possible. If the member does not timely return the form, the Commission Secretary shall include the discipline case on the agenda for the next available Commission meeting, and the Commission President shall set the matter to be heard either by a single Commissioner or the Commission as a whole. In cases involving more than one member ("multiple-officer cases"), where some but not all of the charged members consent to the use of a Hearing Officer, the Commission President shall determine the appropriate actions and assignments under all the facts and circumstances.

D. **No Reassignment of Case.** Once a case is assigned either (1) to a

Hearing Officer and a signed "Consent to Assignment to Hearing Officer" form is received, or (2) to a single Commissioner or the Commission, that assignment generally will not be changed. In rare cases, where good cause exists, the Commission, through the President, may reassign a case before the start of the taking of evidence. Once the taking of evidence has begun, the matter will be reassigned only where absolutely necessary, for example, the death or disability of the Hearing Officer.

III. SELECTION OF HEARING OFFICER

A. **Notice to Select Hearing Officer.** Upon receipt of a completed "Consent to Assignment to Hearing Officer" form, the Commission Secretary shall send a written notice to the member and, where know, his or her representative; to the Chief of Police; and, where applicable, to the OCC Director. The notice shall state that the matter will proceed before a Hearing Officer, and shall direct the parties to begin the process of selecting a Hearing Officer.

B. **Selection of Hearing Officer by Mutual Agreement.** The parties shall attempt to select a Hearing Officer by mutual consent from a list of approved Hearing Officers attached as Exhibit C. In multiple-officer cases, each officer must separately agree to the contemplated Hearing Officer. Any Hearing Officer selected by the parties must be available to begin the proceedings within 90 calendar days and complete the proceedings within 120 calendar days of the Commission Secretary's inquiry regarding the prospective Hearing Officer's availability. Either party may petition the Commission President to allow additional time to complete the proceedings, where good cause is shown, for example, in a case with substantial discovery or pretrial legal issues.

C. **Inability to Mutually Agree to Hearing Officer.** If the parties cannot agree on a Hearing Officer within 7 calendar days of the Commission Secretary's notice that the matter will proceed before a Hearing Officer, the parties shall notify the Commission Secretary that they cannot mutually agree on a Hearing Officer. The Secretary shall then request a list of 7 names from the California State Mediation and Conciliation Service.

D. **Selection of Hearing Officer by Striking Process.** Upon receipt of the list, the parties shall alternate in striking names from the list. In multiple-officer cases, the accused members shall designate one representative to exercise strikes on behalf of all of the accused members. The parties shall determine by lot who will strike the first name. The parties shall continue alternating strikes until one name remains. The parties shall mark the list to indicate the order in which names were struck from the list. The parties shall complete the striking process within 7 days of receipt of the list.

E. **Action by Commission Secretary.** The Commission Secretary shall promptly contact the individual remaining after the striking process. That individual shall be selected only if he or she is available to begin the proceedings within 90 calendar days and complete the proceedings within 120 calendar days of the Secretary's inquiry regarding the prospective Hearing Officer's availability. Either party may petition the Commission President to allow additional time to complete the proceedings, where good cause is shown, for example, in a case with substantial discovery or pretrial legal issues. If that Hearing Officer is not available within the required timeframe, the Secretary shall contact the individual struck sixth from the list, and shall repeat this process

until the Secretary has identified a Hearing Officer available within the required time period or has exhausted the list of names. If the list is exhausted, the Commission Secretary shall request a new list of names from the California State Mediation and Conciliation Service, and the parties shall repeat the process until a Hearing Officer is selected.

IV. TAKING OF EVIDENCE BY HEARING OFFICER

A. **Initial Conference.** Promptly after his or her selection, the Hearing Officer shall schedule an initial conference or hearing on the case, to schedule dates to take evidence; to identify and set deadlines for any required submissions; to set deadlines for any motions; and to address any other matters determined appropriate by the Hearing Officer.

B. **Ex Parte Communications Prohibited.** No party, nor any party's attorney, representative or other agent, shall contact or have any communication regarding any aspect of the case with the Hearing Officer, any individual Commissioner or the Commission as a whole, including but not limited to contact or communication by telephone, email, in person, or written correspondence ("ex parte communications"), except where all parties are included in the communication. A party, or a party's attorney, representative or other agent, may have ex parte communications about the case with the Commission Secretary, provided that the communication is limited solely to procedural matters.

C. **Open/Closed Proceedings.** The hearings for taking evidence shall be held in open session if requested by the accused member on the "Request for Public Hearing" form. Otherwise, the hearings will be closed to the public, and all pleadings, records and other documents used in or created as a part of the case shall be confidential to the extent required by law. In multiple-officer cases, where some but not all of the accused members request a public hearing, the Commission President shall determine the appropriate actions and proceedings under all the facts and circumstances and consistent with all legal requirements regarding confidentiality of peace officer personnel records.

D. **Applicable Rules.** The Hearing Officer shall comply with these Supplemental Rules, and all other rules, procedures and standards that apply to Commission hearings.

E. **Authorized Actions of Hearing Officer.** The Hearing Officer is authorized to take the following actions:

1. Set a schedule for hearings, pre-trial submissions and motions;
2. Direct discovery and resolve discovery disputes, including discovery motions;
3. Hold hearings to take evidence in the case;
4. Rule upon all objections presented by the parties. During the taking of evidence, the parties shall make their objections orally unless the Hearing Officer orders or authorizes a written objection or response. During the proceeding, the Hearing Officer is not required to apply the rules of evidence prevailing in the courts. The Hearing Officer shall apply the evidentiary standards and procedures applicable to administrative proceedings, which include reference to the rules of evidence for guidance to the extent provided by law.
5. Hear and make an initial determination on an accused member's motion to dismiss some or all of the charges for insufficiency of the evidence, subject to the parties' ability to bring the matter to

the full Commission as described in Section V.B., below. The member may bring a motion to dismiss for insufficiency of the evidence at either the close of the Department's or OCC's case or at the close of the taking of evidence proceedings. If the Hearing Officer dismisses all charges, the Hearing Officer shall prepare a report as required in Section V.D., below. If the Hearing Officer denies the motion or dismisses only some of the charges, the Hearing Officer shall provide a detailed explanation of the ruling on the record. Either party may object to the Hearing Officer's decision on a motion to dismiss for insufficiency of the evidence. If a party makes such an objection, that party may include the Hearing Officer's decision on the motion in the objections it raises with the Commission, as provided in Section V.B., below.

6. Mediate or provide other assistance to the parties in developing a proposed stipulated disposition of the case. If the parties mutually agree to have the Hearing Officer mediate or provide other assistance in developing a proposed disposition of the case, the parties must complete the "Agreement to Use Hearing Officer as Mediator" form. A copy of that form is attached to these Supplemental Rules as Exhibit C. As described on the form, the rule prohibiting ex parte communications with the Hearing Officer does not apply during a mediation or proceeding by the Hearing Officer working to develop a proposed stipulated disposition of the case. If the Hearing Officer assists the parties in developing a proposed stipulated disposition of the case, the Hearing Officer may inform the Commission that the parties have developed a proposed disposition and may, with the Commission's approval, present the proposed disposition to the Commission.

F. **Dispositive Motions.** Except as provided in section IV.E.5., above, the Hearing Officer is not authorized to hear any motions to dismiss some or all of the charges ("dispositive motions"). Dispositive motions include, but are not limited to, motions raising jurisdictional, statute of limitations, constitutional and Peace Officers Procedural Bill of Rights Act arguments. Rather, an accused member shall file any dispositive motions with the Commission pursuant to the schedule set by the Hearing Officer. The Commission shall set a hearing on any dispositive motions, and shall deliberate and decide such motions as a body.

G. **Official Record.** The Hearing Officer shall ensure that all proceedings before the Hearing Officer are transcribed by a court reporter. The Hearing Officer shall maintain and preserve all documentary or other evidence as part of the record.

V. PROCEEDINGS BEFORE THE COMMISSION

A. **Conditional Close of Evidentiary Proceedings.** At the conclusion of the taking of evidence before the Hearing Officer, the Hearing Officer shall conditionally close the proceeding, and shall send written notice to the Commission President and the parties of the date on which the proceedings were conditionally closed.

B. **Objections to Hearing Officer Rulings.** Within 14 days after the conditional close of proceedings before the Hearing Officer, the parties shall submit to the Commission written objections, if any, to the Hearing Officer's rulings, including but not limited to rulings excluding or admitting evidence and ruling on discovery and other non-dispositive motions. To raise an objection with the Commission, the party must have objected on the record to a decision or ruling by the Hearing

Officer at the time the Hearing Officer made the decision or ruling during the taking of evidence proceeding.

C. **Argument on Objections; Additional Proceedings Before Hearing Officer.** The Commission shall set a hearing for argument by the parties on an objections filed with the Commission. After argument, the Commission shall deliberate and rule on any objections. The Commission may direct that the Hearing Officer exclude certain evidence from the official record of the proceedings, may direct the Hearing Officer to reopen the proceeding and take additional evidence, or may make any other directive as determined by the Commission. If the Commission directs the Hearing Officer to take additional evidence, the Hearing Officer shall hold additional proceedings consistent with the Commission's ruling, and may also admit rebuttal evidence or take other actions deemed appropriate by the Hearing Officer.

D. **Content of Hearing Officer Report.** After the Commission's ruling on any objections, and after any additional proceedings before the Hearing Officer, the Hearing Officer shall close the hearing for taking evidence, and shall prepare a report on the proceedings for the Commission's consideration. The report shall include the following:

1. a list of the charges against the accused member or members;
2. a summary of the proceedings;
3. a summary of the witnesses, the substance of their testimony, and any demeanor or credibility issues identified by the Hearing Officer;
4. a list of any other evidence admitted;
5. a summary of the facts of the case; and
6. a recommendation about whether there is sufficient evidence in the record to meet the Department's or OCC Director's burden of proof necessary to sustain one or more of the charges. If the Hearing Officer recommends that one or more charge be sustained, the Hearing Officer shall summarize the evidence supporting that recommendation.

E. **Deadline for Hearing Officer Report.** The Hearing Officer shall complete the report as soon as practical, and in no event more than 45 calendar days after the proceeding for taking of evidence is closed and the transcript of the proceeding is complete. If necessary, the Hearing Officer may submit a written request to the Commission President seeking additional time to complete the report, which the President may grant in his or her discretion. When the report is complete, the Hearing Officer shall serve the report simultaneously on the Commission and all parties, and shall transmit the entire record in the case to the Commission Secretary.

F. **Responses to Hearing Officer Report.** The parties may submit written responses to the Hearing Officer's report. The parties shall file any such responses with the Commission Secretary within 14 calendar days of service of the report or completion of the transcript, whichever is later, and shall simultaneously serve a copy on all parties. No additional written submissions are permitted, unless expressly ordered by the Commission.

G. **Commission Review of Record.** After the time for written responses has passed, the Commissioners shall review the entire record in the case, including the Hearing Officer's report, any responses to the report from the parties, the transcript of the proceeding, and any documentary or other evidence admitted during the proceedings.

H. **Additional Proceedings Before Commission.** After reviewing the record, if the Commission concludes that it cannot decide the matter without hearing live testimony or obtaining additional evidence, the Commission may take live testimony or other evidence on its own initiative. The Commission may examine witnesses and direct the production of papers and other evidence.

The Commission may also take additional testimony or evidence at the request of a party, but only where the party demonstrates that the evidence is (1) newly discovered and could not with reasonable diligence have been located prior to the proceeding before the Hearing Officer, and (2) material and relevant in the matter under consideration.

I. **Deliberations and Decision.** At the conclusion of the above proceedings, the Commission shall hear argument from the parties and then will deliberate and decide the case. The Commission may not begin deliberations to decide a case until all Commissioners participating in the deliberative process state for the record that they have reviewed the entire record in the case. If the Commission determines that a member is guilty of any breach of duty or misconduct, the Commission shall set the matter for additional proceedings before the Commission to determine the appropriate penalty.

AYES: Commissioners Campos, DeJesus, Lee, Marshall, Veronese
ABSENT: Commissioner Sparks

COMMISSION ANNOUNCEMENTS

a. **Reassignment of the following disciplinary cases to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner:**

C03-123 JWF (Resolution 53-07, assigned to Commissioner Campos)
C06-030 SL, C06-031 SL, C06-032 SL, C06-033 SL, C06-034 SL, & C06-035 SL (Resolution 54-07, assigned to Commissioner Veronese)
C07-014 SM (Resolution 55-07, assigned to Commissioner Lee)
C07-039 ALW (Resolution 56-07, assigned to Commissioner Lee)

Commissioner Veronese stated that he has submitted a letter to Commissioner Sparks in regards to some of the things he would like the Commission to work on next year. Commissioner Veronese stated that following:

1. He would like to see the Chief put together a committee to look at the possibility of bringing the Police Olympics to San Francisco.
2. Ecco-friendly vehicle mandate prior to a date certain. He's reached out to a group called the Global Green to see if they could help with suggestions for that type of model going forward with the Department's vehicle purchases.
3. P.A.L. Program - for the future of the PAL Program -- speak with the School District to see if the Department can replace the ROTC Program with a community-friendly PAL Program.
4. Police Accountability – He would like to revive three or four general orders that he has suggested in February 2006. Commissioner Veronese stated he met with POA and the City Attorney on them and he believes that they have resolved the issues that are related to those DGOs and would like to revive them.
5. Transparency - The Veronese Report, the actions of the Police Commission in Closed Session relating to police disciplinary matters. He stated that Sgt. Reilly has sent him a version of the report and he believes that he has approved that version and would like to see that for

approval so that it can be put out for the public.

6. Community Outreach - He'd like the Commission to do a weekly newsletter similar to the Police Station's newsletter. He'd also like the Commission to give Police Commission Commendations to citizens who have assists police officers and that Steve Johnson has suggested that the Commission go out to the Police Stations and give Police Commission Commendations to the police officers as opposed to just signing them.
7. Webpage – needs serious work.
8. Government Efficiency - He stated that then Supervisor Newsom did an efficiency audit piece of legislation and suggested that the Police Department should take a look at and do an audit to see if it reflects the standards that are put out in that legislation.
9. He would like the Commission to reach out to the Mayor's Office of Housing to provide for affordable housing for police officers perhaps under the Mayor's Office Housing Program to see if officers can qualify for that as well as the Presidio Trust to get police officers to move back to San Francisco.
10. He would like the Commission to work closer with the Board of Supervisors and the Mayor's Office so that the Commission can leave the law enforcing to the Chief of Police and streamline some of the process and ideas and be on the same page and break down some of the perceived lines that have been drawn.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner DeJesus would like to revisit the issue of speeding up the background process.

Commissioner Campos would like to have a community meeting in July in the Mission District.

ADJOURNMENT

Motion by Commissioner Marshall, second by Commissioner DeJesus. Approved 5-0.

Thereafter, the meeting was adjourned at 7:30 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 30, 2007
5:00 p.m.

SOUTHERN DISTRICT
GENE FRIEND RECREATION CENTER
270 Sixth Street
San Francisco, California

12:00 p.m. mst

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MAY 29 2007

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PLEASE NOTE EARLY START TIME

Pledge of Allegiance; Roll Call,

1. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

2. Chief's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

3. OCC Director's Report (DISCUSSION ONLY)
   a. Report on the function of the Office of Citizen Complaints

4. Captain Denis O'Leary, Commanding Officer of Southern Station, to address the Commission on Police Activities in the Southern District (DISCUSSION ONLY)

5. Approval of the Police Commission minutes for the meeting of May 9th and May 16, 2007 (ACTION ITEM)

6. Commission Announcements (DISCUSSION ONLY)

7. Scheduling of items identified for consideration at future Commission meetings. (DISCUSSION ONLY)

8. Adjournment (ACTION ITEM)

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: DONNA HALL, ADMINISTRATOR, CITY HALL, ROOM 244, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689; OFFICE (415) 554-7744; E-MAIL: sotf@sfgov.org. COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.sfgov.org/sunshine.

Lobbyist Registration and Reporting Requirements
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

SAN FRANCISCO POLICE
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

Communication accessibility services; including sign language Interpreters or computer aided real time captioning will be made available upon advance request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406(tty), at least 72 hours prior to a proceeding. Late requests will be honored if possible.

A **sound enhancement system** will be available on advanced request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty) at least 72 hours prior to a proceeding. Late requests will be honored if possible.

Meeting agendas and other print materials will be made available in **alternate formats** (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call 553 1343 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

The proceeding will be held at: Gene Friend Recreation Center 270 Sixth Street, SF

Accessible MUNI lines serving this location is: 12 Folsom, 27 Bryant
For information about MUNI service call 923 6142

The closest BART Station is: Powell Street Station

Accessible parking _____

For information about the meeting call 553-1667 **(v) or** 553-9194 **(tty)**

MAY 30, 2007 **REGULAR MEETING**

The Police Commission met in the Southern District, at the Gene Friend Recreation Center, 270 Sixth Street, at 5:20 p.m., in a Regular Meeting.

PRESENT: Commissioner Campos, DeJesus, Marshall, Sparks, Veronese
ABSENT: Commissioner Lee

(Commissioner Marshall arrived at 5:36 p.m)

Commissioner Campos addressed and welcomed the audience to the Community Meeting. Commissioner Campos asked the Commissioners to introduce themselves.

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CHIEF'S REPORT

a. Review of Recent Activities

Taken out of order.

Chief Fong welcomed the audience and introduced members of the Command Staff. Present were Deputy Chief Tabak, Commander Harper, Commander Lynch, and Commander Harper.

Chief Fong gave a copy of the letter to the Commission in response to the language issue that was brought up last week.

Chief Fong introduced Captain O'Leary and deferred her time to the Captain.

CAPTAIN DENIS O'LEARY, COMMANDING OFFICER OF SOUTHERN STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE SOUTHERN DISTRICT

Taken out of order.

Captain O'Leary addressed the Commission on police activities in the Southern District.

Commissioner Sparks asked about part 1 crimes. Captain O'Leary stated that there is a lot of crimes in the South of Market but they don't have the number of homicides that is seen in the southeast corner or the western addition. The homicides in the Southern, half of them were outside of nightclubs. Captain O'Leary stated the 11th Street corridor, Howard Street, Folsom Street, and 4th Street has clubs and basically the entire Southern District has clubs.

Commissioner Sparks asked for Commissioner Lee questions regarding seniors in the south of Market area. Captain O'Leary introduced Officer Kevin Martin who is a beat man for the South of Market area. Officer Martin is well-known in the area around 4th and Howard and the 6th Street corridor and he is very responsible for the policing efforts in those specific communities.

Commissioner Veronese asked about homeless in the South of Market. Captain O'Leary stated that in his opinion the number of homeless in the South of Market area has been steady and that it has neither gone up or down. Captain O'Leary stated the shelters that steer people to jobs works and those models have been discussed. They work better because the other models tend to lead to public intoxication.

Commissioner Veronese asked about plans by the Department to address the growth that's happening in the South of Market. Captain O'Leary

stated that he looked at consolidating sector cars so that he could field more beat officers. He stated that he looked at changing staffing levels commensurate with calls for service. Captain O'Leary stated that the growth will lead to more calls for service but he stated that the new buildings will be self contained that have security and that the crimes reported are property crimes and not crimes against persons.

Commissioner Veronese asked about getting a new police station for Southern. Chief Fong stated that it is a priority and that she has been working with the Bureau of Architecture and they produce plans that the Department thought was not large enough for the needs of Southern Station and they are looking at the possibility of making changes.

Commissioner Veronese talked about the recent Chronicle article regarding a certain officer. Chief Fong stated that she would gladly brief the Commission on that matter in Closed Session.

Commissioner DeJesus stated that the EIS system is not discipline and is a system that's designed to have flags or triggers. Whether or not it's investigated or whether or not it is true, it lets the sergeant set forth counseling, warnings, training, non punitive transfers. Commissioner DeJesus stated that it is two separate different systems. She also stated that the Department has a disciplinary system in place and they do look at the same type of activity and if there is a complaint then they investigate it. If a discipline is warranted, then they take action in that matter but that's not what the Early Warning System is about. It's not an investigative tool. Commissioner DeJesus stated that for some reason people think that the EIS is replacing the disciplinary system and it is not. It is a dual system and should not be confused.

Chief Fong explained that in terms of the Early Intervention, Early Warning, or the Use of Force they are reviews and it is a short term review to determine what should be done in order to address a pattern if one is evidence there.

Commissioner Marshall stated that it is bad public safety business to not respond to a one-sided newspaper article. Chief Fong stated that she'll be happy to discuss the procedures with the author of the article and stated that if there is a willingness to share both sides of the story without talking about a specific case, she is more than happy to share that information.

Commissioner Sparks requested to have a Closed Session next week to talk about this incident and to schedule in the near future how the system works.

Commissioner DeJesus would like a report next week giving the numbers of how many officers from the Early Warning quarterly report were counseled, retraining, or transferred. Chief Fong stated that the Early Warning System does continue and the Department is adding to the system and that she will check with the district captains and get back to the Commission.

PUBLIC COMMENT

Unidentified discussed concerns regarding the POA and the Department and how commissioners were chosen before and actions of police.

Cindy Brendon, SF Safe Director, commended Captain O'Leary and his officers for their work with the community and her organization and other community organizations.

Unidentified commended Captain O'Leary but discussed concerns regarding gangs in the Tenderloin and South of Market.

Jim Meeko, SOMA Leadership Council, asked for community policing in the 11th Street corridor.

Daniel Landry, African-American Police Community Relations Board, discussed concerns regarding community policing.

Rudy Corpus, Director of the United Players Violence Prevention Program, commended Dr. Joe Marshall and commended Captain O'Leary for his community policing work in the Southern.

Jeremiah Spannieli discussed an incident about being harassed by the police and stated that the youth should be treated as adults.

Cassie Porter discussed concerns regarding being harassed by the police. Commissioner Marshall asked what happens that he considers as harassment. He said the young people will be walking around and they get beat up on, slammed to the ground, and they are still under age and minors.

Commissioner Campos asked what happens when there is a call from the community about young people hanging around in a center like this. Captain O'Leary explained that part of the routine of Southern Station is to check the parks within the south of Market. He also talked about United Players and their efforts to create a youth drop-in center in the south of Market that would address the needs of the youth. Captain O'Leary stated that there are laws that can be applied like blocking sidewalk, pedestrian roadway but quite often it more along the response to a complaint that brings the police out and it has to do with calls for service involving noise, drug sales, robbers. Captain O'Leary stated that there has been times where there has been conflict between the residence of the neighborhood and the youths of the neighborhood and the SFPD, Safety Network, and Rec & Park have sat down and worked together with the residents of the community to come up with solutions that work, to facilitate a safe environment here in the rec center.

Commissioner Campos asked the Captain to sit down with the young men who are present and their friends and hear what they have to say and would like an update in the near future as to where things are. Captain O'Leary stated that the process has been going on for some time.

Rudy Assercion, Director of Public Relations for the War Memorial Commission, discussed concerns regarding domestic violence against Filipinos and commended the Department and Chief for their work in trying to make a better San Francisco.

Meesha Olivas, United Players, commended Officer Bardoni for his work with the community and commended him in his ability to communicate with the youths in schools.

Michael McNulte, Alliance for Better District 6, discussed concerns regarding violence in the area and in particular the Tenderloin.

OCC DIRECTOR'S REPORT

a. Report on the function of the Office of Citizen Complaints

Ms. Jean Field, Interim OCC Director, explained and discussed functions of the Office of Citizen Complaints.

PUBLIC COMMENT

None

APPROVAL OF THE POLICE COMMISSION MINUTES FOR THE MEETING OF MAY 9TH AND MAY 16, 2007

Motion by Commissioner Marshall, second by Commissioner Veronese. Approved 5-0.

COMMISSION ANNOUNCEMENTS

Commissioner Campos announced that the next meeting the Commission will have Commissioner Sparks as President and Commissioner

Marshall as Vice President.

Commissioner Sparks asked the Commissioners if they have any items of business or motions they would like to put on the agenda to get them to Sgt. Reilly by Friday morning.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Marshall would like a report regarding homicides and where in the city it is happening.

Commissioner Veronese would like to take a look at DGO regarding disciplinary action and he asked Chief Fong to upgrade homicides from major crime to critical incident so that it can have a special protocol.

Commissioner Campos thanked members of the public, Captain O'Leary for hosting the meeting, and the officers of Southern.

ADJOURNMENT

Motion by Commissioner Marshall, second by Commissioner Veronese. Approved 5-0.

Thereafter the meeting was adjourned at 7:12 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 6, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

PLEASE NOTE EARLY START TIME
(CLOSED SESSION)

10:50 a.m. msf
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Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: (ACTION ITEM)
   PERSONNEL EXCEPTION: Approval of the Awards Committee Recommendation

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b: (DISCUSSION ONLY)
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police

   c. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code section 67.10(b): (DISCUSSION & POSSIBLE ACTION)
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 6, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Approval of the Consent Calendar (ACTION ITEM)
   a. Request of Lieutenant Larry Minasian for approval to accept, as a gift from the National Football League, the expenses the will be incurred to attend a training seminar in Chicago, IL, that focuses on security issues at major venues, valued at approximately $800.00

7. Chief's Report (DISCUSSION ONLY)
   a. Status Report re: Department Budget FY 07/08
   b. Update on significant policing efforts by Department members
   c. Review of Recent Activities

8. OCC Director's Report (DISCUSSION ONLY)
   a. Status Report on Implementation of recommendations contained in the Controller's Audit of the OCC
   b. Review of Recent Activities

9. Commission Reports (DISCUSSION ONLY)
   a. Commission President's Report
   b. Commissioners' Reports
   c. Preliminary presentation of anticipated Commission Resolutions

10. Presentation of Quarterly Report (October through December 2006) of Provision of Documents to the Office of Citizen Complaints (DISCUSSION ONLY)

11. Status Report from The Department of Human Resources re: The Memorandum of Understanding with the San Francisco Police Officers' Association (DISCUSSION ONLY)

12. Discussion and possible action to take off calendar indefinitely the disciplinary charges filed in disciplinary case no. C05-008 JWA who resigned from the Department. Said disciplinary charges will be placed back on calendar should the officer be within the jurisdiction of the Police Commission in the future (ACTION ITEM)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 6, 2007
5:00 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

13. Commission Announcements (DISCUSSION ONLY)

14. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

15. Adjournment

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: DONNA HALL, ADMINISTRATOR, CITY HALL, ROOM 244, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689; OFFICE (415) 554-7744; E-MAIL: sotf@sfgov.org. COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.sfgov.org/sunshine.

Lobbyist Registration and Reporting Requirements
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

SAN FRANCISCO POLICE
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

Communication accessibility services; including sign language Interpreters or computer aided real time captioning will be made available upon advance request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406(tty), at least 72 hours prior to a proceeding. Late requests will be honored if possible.

A **sound enhancement system** will be available on advanced request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty) at least 72 hours prior to a proceeding. Late requests will be honored if possible.

Meeting agendas and other print materials will be made available in **alternate formats** (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call 553 1343 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

The proceeding will be held at: City Hall, Room 400, #1 Dr. Carlton B. Goodlett PLace

Accessible MUNI lines serving this location is: 49 Van Ness/Mission
47 Van Ness, 5 Fulton, 31 Balboa
For information about MUNI service call 923 6142

The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 (v) or 553-9194 (tty)

JUNE 6, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:32 p.m. in Closed Session.

PRESENT: Commissioners Sparks, Marshall, Lee, Veronese
ABSENT: Commissioners Campos, DeJesus

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSE SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Lee, second by Commissioner Marshall to hold Closed Session. Approved 4-0.

CLOSED SESSION (5:35 p.m.)

a. **PERSONNEL EXCEPTION: Approval of the Awards Committee Recommendation**
Motion by Commissioner Lee, second by Commissioner Veronese. Approved 4-0. (Resolution No. 57-07)

b. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**

c. **PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst**

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OPEN SESSION (6:03 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Lee, second by Commissioner Veronese for non disclosure. Approved 4-0.

Commissioner Sparks made a brief statement before Public Comment. Commissioner Sparks stated:

"Before public comment is made out, I actually just like to make a brief statement, very brief, actually. But, number one, I want to thank people, friends, and other people who've approached on the street and wished me well in this new position. I really appreciate it and I think it's going to be an interesting time for me and for the Commission going forward. Also, I wanted to thank my predecessor, Louise Renne. I have deep respect for Louise and thank her for her service on the Commission, but also for her long commitment and service to the City and County of San Francisco. I think her record speaks for itself and I think we should all be grateful to Louise for everything she's done.

Also, I want to talk a little bit about, a statement about the Department. This Commission and I personally believe this is one of the finest police departments in the United States. I don't want anyone to misunderstand that being the case, or at least in our opinions. That said, there are obviously issues within this Department, as there are in any major organization, bureaucracy in any urban area that civilian oversights and commissions like ours need to

address. My intent and this Commission's intent are to address those issues but without disrespecting the Department and without disrespecting the individuals who work within the Department.

I think if we start with that as a base of premise, I think we'll all go forward with the understanding that we have the same intent as others, as the Department, but we also agree that in some cases we'll be disagreeing. So that would be my intent going forward.

I also think if there is a difference now as compared to before is I would like to see more open dialogue and more transparency with everything that happens within the Department other than those items which are protected by law and have to remain confidential relative to the personnel issues or private issues that need to be held confidential. That said, other than that, it's my intent to bring everything to the public in front of this Commission in open session and open dialogue with the Commissioners and also with the ability for the public to also give their input.

In addition, to that end, where I'm going to ask the Sergeant to schedule a retreat of the Commissioners over the next four to six weeks whenever all Commissioners can get together. Hopefully, the new Commissioner will be appointed before then and approved by the Board and that Commission will be an open session. The public will be invited. We will discuss issues openly, on television, in open session, and the public will be invited to comment on those positions as we go forward as opposed to the previous retreats we've had where there'd been a question-answer period, kind of period, with the Department, this will be a discussion among ourselves and, hopefully, the Chief will be willing to join us and we can discuss the issues, these critical issues facing the Department and facing the City and also get input from the public.

I'm also asking the Commission Secretary to check in to and see what it would take to videotape the monthly community meetings or have those meetings videotaped. Those are the only meetings that do not appear on SFGTV and, interestingly enough, those are the meetings in which many many citizens come forward to applaud the Department and to talk about the good deeds that the officers and the Department do accomplish within their neighborhoods, and I think it is important for the public to see that.

We're also going to do some other – just housekeeping items, agenda items, such as keeping a running list of major items to be agendized in subsequent months and subsequent meetings. Maintain and publish a complete schedule of recurring reports that happen month after month or quarter after quarter so that everyone is convinced and is knowledgeable on when those reports should be presented and there'll be no surprise to anyone. And I'm also asking the Commission Secretary to keep a running list of items under consideration by others such as the Deputy City Attorney so that we make sure these items are continuing to move forward.

Final item. I've asked the Chief of Police to join us up here at the podium. I think that will and in future sessions, hopefully, continue to be up here. I think that shows – to me indicates a mutual respect that I and this Commission has for the Chief of Police and for the Department itself. I also think it allows us to open the dialogue more as we discuss important issues with the Chief so that she has input on these issues as we go forward and also gives the opportunity for people in public comment period to be addressing the Commission and the Chief simultaneously keeping in mind that neither the Commissioners or the Chief of Police can in fact respond or enter into dialogue during public comment because public comment items normally are not agendized. So I wouldn't want people to misconstrued that the Chief of Police will be able to enter into ongoing dialogue with people in public session but I

do believe it's important for her to be up here with us so that we move together in concert in addressing the very very difficult issues facing this Department."

STATUS REPORT FROM THE DEPARTMENT OF HUMAN RESOURCES RE: THE MEMORANDUM OF UNDERSTANDING WITH THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

Taken out of order.

Ms. Miki Callaghan, Employee Relations Director, presented the status report regarding the MOU with the San Francisco Police Officers' Association.

PUBLIC COMMENT

Frank Martin Del Campo, Seiu 1021, discussed concerns regarding assignment of sworn officers to administrative jobs.

Jeanette Berger discussed concerns regarding providing housing incentives for officers to move back to San Francisco.

PUBLIC COMMENT

Maxine Duggan, Erotic Service Provider, handed the Commission a public record request.

Terry Fry, Harvey Milk LGBT, welcomed Commissioner Sparks and congratulated her.

Hank Wilson discussed concerns regarding article about an officer in the Northbeach area.

Jeanette Berger discussed concerns.

Reuben Goodman discussed concerns regarding homicides in the city.

Barbara Growth discussed concerns regarding officers moving back into the city.

APPROVAL OF THE CONSENT CALENDAR

a. Request of Lieutenant Larry Minasian for approval to accept, as a gift from the National Football League, the expenses that will be incurred to attend a training seminar in Chicago, IL, that focuses on security issues at major venues, valued at approximately $800.00

Motion by Commissioner Marshall, second by Commissioner Lee. Approved 4-0.

CHIEF'S REPORT

a. Status Report re: Department Budget FY 07/08
b. Update on significant policing efforts by Department members
c. Review of Recent Activities

Mr. Ken Bukowski, CFO, presented the status report regarding the Department's budget for fiscal year 2007/2008. Mr. Bukowski stated that currently the Department is working with the Budget Analyst for the Board of Supervisors and the report will be considered at the first budget hearing on June 20th.

Commissioner Sparks asked about the cadet program. Chief Fong explained the program. Chief Fong stated that in the past the Department had a Civil Service Cadet Program which was an opportunity for young people, age 18 to 21, who had an interest in policing to sign up, take the police exam, work in a 20-hour basis within an assignment in the Department and go to school at the same time. At the end of that period, when they did turned 21, if they were interested in coming into the Department, the process was already completed and they could come right into the Department. One of the goals is to recruit

young people from the communities.

Commissioner Sparks asked about the size of the recruit class. Chief Fong stated that the room size at the academy is constraint. Chief Fong stated that the problem is the size of the Academy.

Commissioner Sparks asked about the Gartner study. Chief Fong stated that the last copy she saw was a draft and will be completed in its final form and at that time presented to Commission.

Commissioner Sparks asked where is the EIS in the I.T. budget and going forward as far as the I.T. requirements of the new EIS system. Mr. Bukowski stated that the EIS is a separate project in the budget that continually to be funded for next year as a continuing budget. There is the $575,000 in this year's budget and the majority of that is waiting for the contract to finalized and there's another $533,000 in next year's budget and the estimation that he got is that that's more than sufficient for both the contract, the data conversion costs and the equipment required for the system. Chief Keohane stated that it is the Department goal to have the EIS operation by the end of this calendar year. Chief Keohane stated that the department has entered into through a purchase order to have all the computers out to the station and that's in the process now also.

Commissioner Sparks asked about the Commission's budget. Mr. Bukowski stated that the Commission's budget in the coming year includes the current sergeant, an upgrade of the secretary's position to executive secretary as requested. It does not include the new 1426 position as no funding was provided for any positions that weren't civilianization of officers. It includes the funding for the hearing officer, $75,000. It includes new funding for SFGTV to record and broadcast offsite meetings. The 1822 policy analyst is also still in there.

PUBLIC COMMENT

Mr. Martin del Campo discussed concerns regarding having sworn members working in civilian positions.

Chief Fong continued with her report and stated that Thursday, the Mental Health Board awarded the Police Department an award of recognition for the Crisis Intervention Response. This is the training provided to the officers and allows the officers to have a better perspective of how to interact when responding to an incident involving someone with mental illness challenges. Chief Fong also introduced Officer Kelly Dunn and commended her for being a valuable resource for the Department as well as for the mental health community. Chief Fong also commended Sergeant Michael Sullivan for his help in the training program.

Chief Fong brief the Commission regarding the POST audit of the Training Division. The POST team felt that the Academy is doing a tremendous job and Academy passed with flying colors for the next three years. Chief Fong stated that POST mentioned two key areas: (1) is that the Academy should have a greater staff to recruit ratio. (2) is the size and space constraints of the Academy.

Chief Fong also talked about the 213th recruit class graduation and also the graduation of 32 members of the 19th community police academy. In July there will be another community policing academy.

Commissioner Marshall stated that a presentation regarding the Community Policing Academy would be great.

Commissioner Sparks congratulated Officer Dunn for her award.

PUBLIC COMMENT

None

OCC DIRECTOR'S REPORT

a. Status Report on Implementation of recommendations contained in the Controller's Audit of the OCC

b. Review of Recent Activities

Ms. Jean Field, Interim OCC Director, presented the status report on implementation of recommendations contained in the Controller's Audit of the OCC. Ms. Field stated that the OCC has complied or has taken initiated steps to comply with 23 of the 40 recommendations that were specifically directed to the OCC and some of the recommendations are ongoing in nature. Ms. Field also talked about the OCC's budget.

Commissioner Marshall would like a written report as to the Director's efforts to meet the Controller's recommendations.

Commissioner Sparks stated that a preliminary report sometime in July to give the Commission on where the OCC is at.

Ms. Field stated that the OCC is continuing to look for more outreach activities to educated the public about the OCC's process and to also hear feedback from the public.

PUBLIC COMMENT

None

COMMISSION REPORTS

a. Commission President's Report

b. Commissioners' Reports

c. Preliminary presentation of anticipated Commission Resolutions

Commissioner Sparks reported on her meeting with the representatives of the POA along with members of various police employee groups to discuss relationship between the POA and the Commission. Commissioner Sparks stated that it was a good meeting and have established a baseline understanding and hopes to move forward on a closer relationship. Commissioner Sparks stated that she has asked President Delagnes to schedule monthly meetings to discuss various issues that the POA might have or might want to address.

Commissioner Sparks stated that she has asked both the POA and the ACLU for written recommendations to the Commission for items they would like the Commission to consider.

Commissioner Sparks also stated that she met with the Mayor and the Mayor has expressed his willingness and intent to work in cooperation with the Commission and other policy makers. Commissioner Sparks also stated that she has scheduled bi-weekly meetings with the Chief and the OCC Director and hopes that will give closer coordination between the Department and the Commission.

Commissioner Sparks stated that she met with the Controller to go over the various reports/studies that are being held on behalf of the Department and the Controller gave her status update on all the reports and she has asked the Controller to attend the Commission meeting around the first or second meeting in July to make a full report to the Commission on all those reports. Reports include the foot patrol report, boundary study, organization cultural

review and the fair and impartial policing and also the report regarding feasability of the cameras.

Commissioner Sparks also stated that both her and Commissioner Marshall attended the Mayor's Office of Community Policing Task Force. She stated that it was a very good meeting and will be an ongoing meeting.

Commissioner Sparks also stated that she had a meeting with the City Attorney to go over items relative to patrol specials and looking at re-evaluating and writing new policies and procedures relative to patrol specials.

Commissioner Sparks gave out a copy of a list that have been discussed by the Commission over the preceding two years. Commissioner Sparks stated that the Commission will re-prioritize items on the list and will move forward with these items. Commissioner Sparks stated the first item will be a resolution endorsing Supervisor Elsbernd's Charter amendment which is the proposal to extend the disciplinary powers or authority of the Chief of Police from 10 days suspension to 45 days suspension; another item is DGO 5.20, Language Access Services for people with limited English proficiency; next is DGO 7.01, Juvenile Policies & Procedures; also, DGO 8.09 and 8.10, Media Relations and First Amendment Reporting; Resolution to support new media being covered within the definition of Freedom of the Press. Commissioner Sparks stated that this is not the Josh Wolf amendment that Commissioner Campos recommended but it is a more general resolution relative to overall items of Freedom of the Press. Commissioner Sparks also stated that she has talked to the Chief regarding quarterly reporting of all Part 1 crimes citywide and these crimes will be reported by neighborhoods so that the public can understand not only what's happening in the neighborhood but what the Department is doing about those particular crimes. Also, quarterly reporting of all officer-involved shootings and officer-involved discharge investigations in addition to the firearm discharge review board report. Commissioner Sparks also stated that the Commission will readdress the Copley resolution and talk about requiring stipulated dispositions and suspension over 45 days or more severe negotiated settlements to be held in open session. The Commission will also re-discuss DGO 3.19, Early Intervention System, to discuss in open session the overall idea of whether or not 3.19 associated factors should or could be used for disciplinary purposes. Commissioner Sparks also talked about addressing the ability of the OCC to institute immediate investigations on allegations, lawsuit, claims, or actions against the city or the Department on allegations of officers' misconduct. Commissioner Sparks stated that this will not require formal complaints to be filed with the OCC but in instances of either claims or lawsuits filed or allegations and hopes to move this forward very quickly. Commissioner Sparks also talked about a resolution to endorse SB1019, authored by Senator Romero, to essentially overturn the Copley Supreme Court decision. Commissioner Sparks stated that Commissioner Veronese asked to prepare or discuss a resolution the possibility of defining all homicides as critical incidents pursuant to DGO 8.01 as opposed to just the incidents defined in 8.01 now. Commissioner Sparks also talked about reopening DGO 3.10 in creating a citizen's firearm discharge review board to work with the current firearm discharge review board staff primarily with department members to review firearm discharges and make recommendations to the Chief as far as what should happen after discharges have occurred. Commissioner Sparks also talked about a resolution for the ability of two commissioners at any time to put any item on the agenda with at least the concurrence of one other commissioners. Also, continued follow up reports and studies on the various issues and reports that are happening right now by the Controller's Office and other individuals and agencies in the city.

Commissioner Lee suggested a joint meeting with the Immigrant Rights Commission and the Health Commission in regards to Language Access. Also, in regards to Juvenile Policy issues to have a joint meeting with the Youth

Commission.

Commissioner Veronese talked about the report of Closed Session activities and would like to have it on next week's agenda.

Commissioner Marshall would like to talk about benefit of joint meetings and to have an agenda with an outcome.

PUBLIC COMMENT

Mr. Steve Johnson, POA, stated that number on the list should be a Medal of Valor ceremony.

PRESENTATION OF QUARTERLY REPORT (OCTOBER THROUGH DECEMBER 2006) OF PROVISION OF DOCUMENTS TO THE OFFICE OF CITIZEN COMPLAINTS

Lieutenant Stasko, Legal Division, presented the quarterly report of Provision of Documents to the OCC from October through December 2006.

DISCUSSION AND POSSIBLE ACTION TO TAKE OFF CALENDAR INDEFINITELY THE DISCIPLINARY CHARGES FILED IN DISCIPLINARY CASE NO. C05-008 JWA WHO RESIGNED FROM THE DEPARTMENT. SAID DISCIPLINARY CHARGES WILL BE PLACED BACK ON THE CALENDAR SHOULD THE OFFICER BE WITHIN THE JURISDICTION OF THE POLICE COMMISSION IN THE FUTURE (Resolution no. 59-07)

Motion by Commissioner Marshall, second by Commissioner Lee. Approved 4-0.

COMMISSION ANNOUNCEMENTS

The Community meeting will be in the Northern, Rosa Parks Elementary School, on June 27th.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

None

(The Commission will return to Closed Session at 8:23 p.m.)

Motion by Commissioner Marshall, second by Commissioner Veronese. Approved 4-0.

CLOSED SESSION (8:23 p.m.)

b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police

c. PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst

OPEN SESSION (9:19 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Lee for non disclosure, second by

Commissioner Marshall. Approved 4-0.

ADJOURNMENT

Motion by Commissioner Lee, second by Commissioner Marshall. Approved 4-0.

Thereafter, the meeting was adjourned at 9:22 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 13 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

10:40 a.m. msf
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(CLOSED SESSION)

Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: (ACTION ITEM)
   PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C03-190 JWA (ACTION ITEM)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code section 67.10(b): (DISCUSSION & POSSIBLE ACTION)
   PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 13, 2007
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Chief's Report (DISCUSSION ONLY)
   a. Report re: Interrelationship of the Early Warning System, Early Intervention System, and Use of Force Records
   b. Update on significant policing efforts by Department members
   c. Review of Recent Activities

7. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

8. Commission Reports (DISCUSSION ONLY)
   a. Commission President's Report
   b. Commissioners' Reports

9. Discussion and possible action to adopt a Police Commission Resolution urging the Board of Supervisors to approve proposed Charter Amendment to extend Chief of Police disciplinary authority to 45 days. (ACTION ITEM)

10. Approval of Commission minutes for the meeting of May 23, 2007 (ACTION ITEM)

11. Commission Announcements (DISCUSSION ONLY)

12. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

13. Adjournment

*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

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(Chapter 67 of the San Francisco Administrative Code)

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SAN FRANCISCO POLICE
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47 Van Ness, 5 Fulton, 31 Balboa
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The closest BART Station is: Civic Center

Accessible parking _____

For information about the meeting call 553-1667 (v) or 553-9194 (tty)

JUNE 13, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:50 p.m. in a Regular Meeting.

PRESENT: Commissioners Sparks, Marshall, Campos, DeJesus, Lee, Veronese

(Commissioner Marshall arrived at 5:57 p.m.; Commissioner Lee arrived at 6:54 p.m. Commissioner Veronese is excused at 7:14 p.m.)

DISCUSSION AND POSSIBLE ACTION TO ADOPT A POLICE COMMISSION RESOLUTION URGING THE BOARD OF SUPERVISORS TO APPROVE PROPOSED CHARTER AMENDMENT TO EXTEND THE CHIEF OF POLICE DISCIPLINARY AUTHORITY TO 45 DAYS SUSPENSION

Taken out of order.

Supervisor Elsbernd discussed the proposed Charter Amendment to extend the Chief of Police's disciplinary authority to 45 days suspension. Supervisor Elsbernd explained that the Commission should be the body that handles big policy issues and should be the one to inform the Board with information on what the community wants and what the Department needs. Supervisor Elsbernd stated that if the Board is able to do some things to bring down the Commission's docket and give the Commission to focus on big policy issues, then that's a positive thing. Supervisor Elsbernd also addressed the question of morale in the Department and stated that the uncertainty that results with discipline procedures and the unknown of when the final conclusion is going to happen and if there is something that the Board could do to give the officers a little more certainty in the process, something to help with the question of morale in the Department, that step should be taken because higher morale means better service and better service means better public safety.

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Commissioner DeJesus stated that the draft, as it stands, may have unintended consequences. Commissioner DeJesus stated that the Commission wants to make sure that the OCC is not restricted in anyway in their ability to bring charges in case of disagreement with the Chief. Commissioner DeJesus stated that there should be a time line in which the Chief has to act. Commissioner DeJesus also suggested that the Department should notify the OCC if any suspension between the 10 to 45 days so that the OCC does have an opportunity to come before the Commission if there are any cases getting close to the deadline or needs to be resolved quickly. She also asked that the Department have monthly reports of the cases that the Department sent to the OCC indicating the number that was sustained, the number of cases where some type of action that was taken or any description of the action taken. Supervisor Elsbernd stated that he agrees with those points but stated that he is very hesitant to throw more language into a Charter amendment when that is something that can be done by General Order or something that he can do by Ordinance.

Commissioner Sparks stated that there is a disciplinary guideline and suggested that while the amendment is on the ballot, the Commission can actually look at the guideline and do a better definition on what the time lines are under the 45 days and that way the Commission could make sure that anything serious is outside the 45 limit under the recommended guidelines as oppose to being ambiguous.

Commissioner Veronese asked how can it be prevented the lessening of

penalty from happening so that it falls within the Chief's jurisdiction. Supervisor Elsbernd stated that there could be a process where anything between 10 and 45 days, the Chief needs to present in closed session to the Commissioners and the Commissioners can decide if a full hearing is needed to give the Commission a little more say.

Commissioner Campos would like more best practice comparison between different jurisdictions and the Department. He also asked how this Charter amendment would effect Prop H and is there consistency with what would happen and what the voters intended with Prop H. Supervisor Elsbernd stated absolutely. Supervisor Elsbernd stated that he believes that the voters passed Prop H to get more civilian oversight involved on those issues of public safety that are important to all. He stated that the Police Commission should not just be a disciplinary commission. He stated that the Police Commission should be advising the Board on questions of foot patrol and auto break-ins and things like that.

Commissioner Marshall stated that anything that can speed up the process and free the Commission to do other things he is in favor of.

Commissioner Sparks stated that she supports this wholeheartedly. Commissioner Sparks asked the OCC and the POA to submit written comments to the Commission as quickly as possible, in the next three or four days, if possible, for the Commission's review and for the City Attorney to help add those into the legislation and have a more final form next week for final discussion.

PUBLIC COMMENT

Steve Currier, Outer Mission Residence Association, stated that his association is in full support of this.

Mark Schlosberg, ACLU, discussed concerns about possible unintended consequences of this amendment.

Meesha Irizarry, Idriss Stelley Foundation, stated that today is the anniversary of the death of her son and mentioned names of people that have been killed in San Francisco.

Terry Baum stated a charter amendment has to be considered for as long as it needs to be considered.

Mr. Ramos discussed concerns regarding gaining trust of the people and asked to cut police work days to three days.

Unidentified stated that there should be more public outreach regarding this amendment.

Leroy Moore asked that the Commission take its time in reviewing this.

Kim Murbock asked that the Commission take its time to consider the issues.

Motion by Commissioner Campos to continue this item one week pending receipt of information and comments from the POA, OCC, and ACLU, second by Commissioner DeJesus. Approved 6-0.

PUBLIC COMMENT

Taken out of order.

Mary Kate Connor discussed concerns regarding people with mental health problems being killed by police.

Philip Berg discussed concerns regarding actions by police against unarmed individuals.

Aaron Shumann discussed concerns regarding phones being on at the Hall of Justice.

Leroy Moore discussed concerns regarding people with mental health

problems and police actions.

Kathy Perry discussed concerns regarding police misconduct.

Ann Garrison discussed concerns regarding police actions.

Tammy Bryant discussed concerns regarding the Idriss Stelley incident.

Kim Murdock discussed concerns regarding the Department's problem with credibility.

John Watkins stated that truth is the truth and here to support Meesha.

Fernando Ramos read a poem for Idriss Stelley.

Meesha Irizarry discussed concerns and the code of silence.

Reuben Goodman discussed concerns regarding actions by police.

Terry Vaughn stated that Commission should have more outreach to have more people to attend meetings.

Willie Ratcliff discussed concerns regarding transparency.

Barry Toronto discussed concerns regarding getting tickets for driving in diamond lanes and discussed concerns regarding asking for a badge number and commended Sgt. Reynolds for his investigation.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 6-0.

CLOSED SESSION (7:14 p.m.)

a. **PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C03-190.**

b. **PERSONNEL EXCEPTION: Public Employee appointment: Policy Analyst**

OPEN SESSION (8:47 p.m.)

PRESENT: Commissioners Sparks, Marshall, DeJesus, Lee
EXCUSED: Commissioners Campos, Veronese

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner Lee for non disclosure. Approved 4-0.

PUBLIC COMMENT

David Pilpel suggested that 67.10(b) be re-examined regarding who can appoint the policy analyst.

CHIEF'S REPORT

a. **Report re: Interrelationship of the Early Warning System, Early Intervention System, and Use of Force Records**
b. **Update on significant policing efforts by Department members**
c. **Review of Recent Activities**

Item (a) is continued for one week.

Chief Fong highlighted some of the good work by the officers of the Department.

Commissioner Sparks would like a report from the Chief regarding the Kroll report.

PUBLIC COMMENT
None

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Ms. Jean Field, Interim OCC Director, thank Commissioner Sparks for meeting with her last week. Ms. Field updated the Commission regarding their meetings in regards to civil claims investigations. She also stated that she will be out of town next week and Mr. Galman will make the presentation next week.

PUBLIC COMMENT
None

COMMISSION REPORTS

a. Commission President's Report

b. Commissioners' Reports

Commissioner Sparks reported that she met with the OCC last Friday and discussed the issue of reporting and Article 96 and the Department's reporting online and stated that some are outdated. Commissioner Sparks stated that she will keep meeting with the OCC and the Chief every other week.

Commissioner DeJesus talked about the Commission cannot reverse or reconsider a decision that was made even when new facts come to light. She asked the City Attorney for assistance in a resolution to ask the Supervisors to draft an amendment to the Charter that would allow the Commission to reconsider any decision made if new facts or facts not known at the time of decision are discovered.

PUBLIC COMMENT
None

APPROVAL OF COMMISSION MINUTES FOR THE MEETING OF MAY 23, 2007

Motion by Commissioner Marshall, second by Commissioner DeJesus. Approved 4-0.

PUBLIC COMMENT
David Pilpel asked that start and end time of Closed Session be added to the minutes.

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that the District Meeting will be at Rosa Parks Elementary School on June 27th, at 5:00 p.m.

PUBLIC COMMENT
None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Marshall would like a report in regards to homicides.

Commissioner Lee would like a joint meeting with the Health Commission and Immigration Rights Commission in regards to the Language Access DGO.

PUBLIC COMMENT
None

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Marshall. Approved 4-0.

Thereafter, the meeting was adjourned at 9:14 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 20 2007
4:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

PLEASE NOTE EARLY START TIME
(CLOSED SESSION)

12:30 p.m. msf

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107 Roll Call.

1. Public Comment on all matters pertaining to Closed Session.

2. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)

3. Closed Session

   a. Pursuant to Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1):
   CONFERENCE WITH LEGAL COUNSEL
   Francisco Moreno v. CCSF, United States District Court No. C05-4752 MMC
   (DISCUSSION ONLY)

   b. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b):
   PERSONNEL EXCEPTION: Public Employee appointment: OCC Director
   (DISCUSSION & POSSIBLE ACTION)

   c. Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b:
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police
   (DISCUSSION ONLY)

(OPEN SESSION)
Pledge of Allegiance; Roll Call,

4. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)

5. Presentation by Gartner, Inc., in regards to SFPD's Information Technology Strategic Plan (DISCUSSION ONLY)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 20, 2007
4:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

6. Public Comment
(Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

7. Approval of Consent Calendar (ACTION ITEM)
   a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:
   Francisco Moreno v. CCSF, United States District Court No. C05-4752 MMC

   b. Request of the Chief of Police to accept a donation of a canine named "Pyro," valued at approximately $9,000.00, from Officer Rolando Canales, for the use of the Tactical Company K-9 Unit

   c. Request of the Chief of Police to accept a donation of a canine named "Gadol Ram," valued at approximately $9,000.00, from the California Office of Homeland Security "Pups for Peace" Program, for the use of the Tactical Company Explosive Ordinance Detection Unit

8. Chief's Report (DISCUSSION ONLY)
   a. Report re: Department's response in recent incidents of violence in the Western Addition
   b. Update on significant policing efforts by Department members
   c. Review of Recent Activities

9. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities
   b. Status report re: Office move

10. Commission Reports (DISCUSSION ONLY)
   a. Commission President's Report
   b. Commissioners' Reports
   c. Presentation of the Police Commission's bi-monthly report of Closed Session Disciplinary Actions (Veronese Resolution)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 20 2007
4:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

11. Discussion and possible action to adopt a Police Commission Resolution urging the Board of Supervisors to support Senate Bill 1019 (Romero) (ACTION ITEM)

12. Request of the Chief of Police for approval to accept and expend funds offered by Target Corporation through their Law Enforcement Grant Program and any augmentations, extensions, and modifications, for the purchase of necessary computer and security video editing equipment to be utilized by the Retail Theft Unit of Fraud Detail (ACTION ITEM)

13. Report re: Interrelationship of the Early Warning System, Early Intervention System, and Use of Force Records (DISCUSSION ONLY)

14. Approval of minutes for the meeting of May 30, 2007 (ACTION ITEM)

15. Commission Announcements (DISCUSSION ONLY)
    a. Assignment of disciplinary case no. C07-076 ALW to an individual Commissioner for taking of evidence on a date to be determined by the Commissioner

16. Scheduling of items identified for consideration at future Commission meetings (DISCUSSION ONLY)

17. Adjournment

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PLEASE NOTE: The Police Commission will be holding a Special Meeting this month at a location other than City Hall.

1. The Commission will hold its Community Meeting in the Northern District, at Rosa Parks Elementary School, 1501 O'Farrell Street, San Francisco, at 5:00 p.m., on Wednesday, June 27, 2007, to hear comments from the public and Northern Station Captain Kevin Dillon concerning public protections issues in the Northern District.

The Police Commission

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JUNE 20, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 4:50 p.m.

PRESENT: Commissioners Marshall, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Sparks

(Commissioner DeJesus arrived at 4:54 p.m)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Lee, second by Commissioner Campos. Approved 5-0.

CLOSED SESSION (4:51 p.m.)

a. **CONFERENCE WITH LEGAL COUNSEL**
Francisco Moreno v. CCSF, United States District Court No. C05-4752 MMC
(Present were Commissioners Marshall, Campos, DeJesus, Lee, Veronese, City Attorney Rebecca Katz, Lt. Michael Stasko, Director Jerry Tidwell)

b. **PERSONNEL EXCEPTION: Public Employee appointment: OCC Director**
(Present were Commissioners Marshall, Campos, DeJesus, Lee, Veronese, City Attorney Rebecca Katz, Mr. Regan Williams)

c. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**
(Present were Commissioners Marshall, Campos, DeJesus, Lee, Veronese, Chief Heather J. Fong, City Attorney Rebecca Katz, Director Jerry Tidwell)

OPEN SESSION (6:37 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Campos, second by Commissioner Marshall for non disclosure. Approved 5-0.

PRESENTATION BY GARTNER, INC., IN REGARDS TO SFPD'S INFORMATION TECHNOLOGY STRATEGIC PLAN

Chief Fong introduced Ms. Irma Fabular from the Gartner, Inc., who presented the SFPD's Information Technology Strategic Plan.

Commissioner Campos asked if the SFPD have the capability to implement the recommendations in this study. Ms. Fabular stated yes and no. She stated that the Department does not have sufficient resources from an information technology perspective and stated that the four recommendations that are focused on desktop support and the local area communications are needed to make sure laptops work. The more strategic recommendations related to resources include hiring the Department's CEO who has strong I.T.

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and executive leadership for the department and second is adding three business analysts who knows translation of business requirements to technology needs.

Commissioner Veronese stated that he has some basic questions: Where do we currently lie today? Where do we want to be in five years? What do we lack as a Department in the area of technology? What is the technology we should be developing that we don't have? How much is going to cost? Do we have this in our budget? What can this Commission do to make sure that the Department gets the tools that it needs to get moving forward as quickly as possible. Ms. Fabular stated that the bottom line from a technology perspective for a police department for the city of San Francisco, considered as a global city, the Police Department's technology needs major overhaul. She stated that there is a lot of manual labor as a result of the gaps in the Department's technology capability. Ms. Fabular stated that they have made some estimates that are already in the budget but based on the strategic plan that they documented an initial of $6 to $8 million of investment and some are over the course of multiple years.

Commissioner Marshall asked what happens next. Ms. Fabular stated that the study is complete and the Department is soliciting some sponsorship to get some of the funding. There are efforts underway such as the rollout of new desktops. She stated the primary focus is building the infrastructure or foundation so that the utility aspects of technology are underway and there are efforts to retain Gartner to help further evaluation of the other initiatives in a lot more detail than a strategy.

Commissioner Marshall asked who will be in charge and give the Commission reports and updates. Deputy Chief Keohane stated that he will put together the reports that will be coming to the Commission and he will be reporting on a frequent basis as the Commission's request.

Commissioner DeJesus asked if money is in the budget to keep moving on this. Chief Keohane stated that the budget for 07/08 does have the money for the current needs and the Department is also looking at a multi year plan to make sure that it keeps going.

Commissioner Campos asked how much did the study cost. Deputy Chief Keohane stated that it was about $200,000.

Commissioner DeJesus asked when would patrol cars have access to the technology. Deputy Chief Keohane stated he does not have the information readily available. Ms. Fabular stated that the reason that patrol car access if moved further to the right is because of all the foundational elements that need to be addressed, including the records management.

Commissioner Lee asked if the Department has asked about private funding. Deputy Chief Keohane stated that one of the means is looking for grants and also looking at homeland security funds in order to boost the technology capabilities.

PUBLIC COMMENT

Richard Stipman discussed concerns.

Unidentified discussed concerns regarding almost getting run over by a patrol car.

Frank Martin Del Campo discussed concerns regarding training.

Francisco DeCosta discussed incident reports so that it helps with communication between the officers and the public.

Unidentified discussed concerns regarding the District Attorney and the courts.

PUBLIC COMMENT

Unidentified discussed concerns regarding his OCC complaint and attitude of police regarding his complaint.

APPROVAL OF CONSENT CALENDAR

a. **Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney: Francisco Moreno v. CCSF, United States District Court No. C05-4752 MMC**

b. **Request of the Chief of Police to accept a donation of a canine named "Pyro," valued at approximately $9,000.00, from Officer Rolando Canales, for the use of the Tactical Company K-9 Unit**

c. **Request of the Chief of Police to accept a donation of a canine named "Gadol Ram," valued at approximately $9,000.00, from the California Office of Homeland Security "Pups for Peace" Program, for the use of the Tactical Company Explosive Ordinance Detection Unit**

Motion by Commissioner DeJesus, second by Commissioner Lee. Approved 5-0.

PUBLIC COMMENT
None

RESOLUTION NO. 60-07

FRANCISCO MORENO v. CCSF et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Francisco Moreno, et al. v. City and County of San Francisco, et al.," in United States District Court No. C05-4572 MMC, be, and the same is hereby approved.

Date of Incident: October 14, 2004

AYES: Commissioners Marshall, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Sparks

RESOLUTION NO. 61-07

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF A CANINE NAMED "PYRO"," VALUED AT APPROXIMATELY $9,000.00, FROM OFFICER ROLANDO CANALES, FOR THE USE OF THE TACTICAL COMPANY K-9 UNIT

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to accept a donation of a canine named "Pyro," valued at approximately $9,000.00, from Officer Rolando Canales, for the use of the Tactical Company K-9 Unit.

AYES: Commissioners Marshall, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Sparks

RESOLUTION NO. 62-07

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF A CANINE NAMED "GADOL RAM," VALUED AT APPROXIMATELY $9,000.00, FROM THE

CALIFORNIA OFFICE OF HOMELAND SECURITY "PUPS FOR PEACE" PROGRAM, FOR THE USE OF THE TACTICAL COMPANY EXPLOSIVE ORDINANCE DETECTION UNIT

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to accept a donation of a canine named "Gadol Ram," valued at approximately $9,000.00, from the California Office of Homeland Security "Pups for Peace" Program, for the use of the Tactical Company Explosive Ordinance Detection Unit.

AYES: Commissioners Marshall, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Sparks

CHIEF'S REPORT

a. Report re: Department's response in recent incidents of violence in the Western Addition
b. Update on significant policing efforts by Department members
c. Review of Recent Activities

Chief Fong reported on the recent incidents in the Western Addition. She stated that the violence are caused by drugs, by gang and turf activity, as well as by guns. Unfortunately the perpetrators are getting younger and younger. Chief Fong stated that law enforcement alone cannot stop the violence. The Department needs the help of the community and services to be placed within the community.

Chief Fong stated that the Department have seized 453 firearms and 59 of those are from the Western Addition area. Chief Fong stated that annually, the Department seize between 1100 and 1200 firearms. Chief Fong stated that last month the Narcotics Detail was able to seize six kilos of drugs including methamphetamine, cocaine, and crack. The goal is to take as much of the narcotics off of the street will reduce the level the violence as is the goal in removing the guns from the street. Chief Fong stated that the drugs, the gangs, the turf, and the guns are key and the Department is doing a lot of enforcement and investigation in these areas.

Chief Fong also reported that on Monday, the Department hired three inspectors to assist in the cold-case unit of Homicide and hopefully the Department will be able to identify perpetrators from old cases.

Commissioner Campos asked if the Department has monitored what impact foot patrols and cameras have had on crime in the Western Addition. Chief Fong stated that that's monitored, not only in the Western Addition but throughout the city. Chief Fong stated that whenever an incident occur around a crime camera, the footage is reviewed to see whether or not there is useful footage. Chief Fong stated that the Department is currently doing a review on foot patrols.

Commissioner Veronese stated he would like to see a new approach, when shootings involve juveniles, that brings into the solution the parental figures, schools the children are attending, as well as any religious or community leaders to involve them. Commissioner Veronese also stated he would like to see public reports on shootings and homicides in the city.

Chief Fong talked about the major events that occurred in the city and commended the officers for their hard work.

Commissioner Marshall thanked the Chief for inviting him to walk with her in Friendship Village where the shootings occurred. Commissioner Marshall stated that knocking on doors, talking with the people, most of the people were grateful but you also get the feeling of fear and reluctance to come

forward.

PUBLIC COMMENT

Ruben Goodman thanked the Chief for her report and asked for flyers for the district meeting.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO ACCEPT AND EXPEND FUNDS OFFERED BY TARGET CORPORATION THROUGH THEIR LAW ENFORCEMENT GRANT PROGRAM AND ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS, FOR THE PURCHASE OF NECESSARY COMPUTER AND SECURITY VIDEO EDITING EQUIPMENT TO BE UTILIZED BY THE RETAIL THEFT UNIT OF FRAUD DETAIL

Taken out of order.

Inspector Dan Dougherty, Retail Theft Unit, gave a brief presentation regarding the grant.

Motion by Commissioner Campos, second by Commissioner DeJesus. Approved 5-0.

PUBLIC COMMENT
None

RESOLUTION NO. 64-07

APPROVAL TO AUTHORIZE THE CHIEF OF POLICE TO ACCEPT AND EXPEND FUNDS OFFERED BY TARGET CORPORATION THROUGH THEIR LAW ENFORCEMENT GRANT PROGRAM AND ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS, FOR THE PURCHASE OF NECESSARY COMPUTER AND SECURITY VIDEO EDITING EQUIPMENT TO BE UTILIZED BY THE RETAIL THEFT UNIT OF THE FRAUD DETAIL

RESOLVED, that the Police Commission hereby approves to authorize the Chief of Police to accept and expend funds offered by Target Corporation through their Law Enforcement Grant Program and any augmentations, extensions, and modifications, for the purchase of necessary computer and security video editing equipment to be utilized by the Retail Theft Unit of the Fraud Detail.

AYES: Commissioners Marshall, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Sparks

OCC DIRECTOR'S REPORT

a. Review of Recent Activities
b. Status report re: Office Move

Ms. Samara Marion, for Interim Director Field, briefed the Commission on mediation. She also talked about the office move which is scheduled for August 15th.

Commissioner Campos asked about the status of the Language Access DGO. Ms. Marion stated that it is awaiting movement through the Department and it has gone through the Command Staff review and the hope is to present it to the Commission soon.

PUBLIC COMMENT
None

COMMISSION REPORTS

a. **Commission President's Report**

b. **Commissioners' Report**

c. **Presentation of the Police Commission's bi-monthly report of Closed Session Disciplinary Actions (Veronese Resolution)**

Commissioner Marshall reported that he and the Chief attended the opening of the new District Attorney's satellite office at the Bayview.

Commissioner Veronese stated that he was dismayed to read the morning paper's comments from POA Gary Delagnes about some of the elected officials of San Francisco. Commissioner Veronese stated that he thinks it is important that he, as a Commissioner, say something. Commissioner Veronese stated: "I'm proud of this Police Commission and its new leadership and the cooperation of the San Francisco Police Department primarily because of our ability to work together to solve problems as we move forward, and that's the fundamental reason why we're here: to improve our city and to move forward. But making real progress, the progress that the citizens of this city demand and trust us to make takes the cooperation of all of us and fundamental decency. And, in my opinion, Mr. Delagnes crossed the line this morning by referring to the private parts of elected officials and by making inappropriate disparaging personal attacks on them. We may have disagreements with the Board of Supervisors from time to time but does not make Mr. Delagnes' actions right. The policy differences are acceptable and healthy, personal attacks are not. The hard working police officers of this city frankly deserve better. I would like the Police Commission to join me in publicly calling for Gary, Mr. Delagnes, to clarify his statements and apologize. Gary, if you're listening and I do see Steve Johnson back there representative of the POA, I hope that you pass this message on to Mr. Delagnes. You're an important part of this city's public safety. We know you work hard and you get frustrated at times but when you cross the line, it makes it impossible for this Commission to support you like I want to support you. Help us restore the civil discourse and spirit of cooperation and apologize for your personal attacks on our elected officials. It's frankly inappropriate and there's no place for it in city government."

Commissioner Veronese then presented the Commission's bi-monthly report of Closed Session Disciplinary Actions (Veronese Resolution).

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO ADOPT A POLICE COMMISSION RESOLUTION URGING THE BOARD OF SUPERVISORS TO SUPPORT SENATE BILL 1019 (ROMERO)

Motion by Commissioner Lee, second by Commissioner DeJesus. Approved 5-0.

RESOLUTION NO. 63-07

RESOLUTION COMMENDING THE BOARD OF SUPERVISORS FOR THEIR SUPPORT OF APPROPRIATE PUBLIC DISCLOSURE OF PEACE OFFICER DISCIPLINARY MATTERS

WHEREAS, on April 4, 2007, the San Francisco Police Commission adopted Resolution No. 36-07 urging Mayor Gavin Newsom and the Board of Supervisors to support legislation that would amend California law to allow civilian oversight agencies, such as the San Francisco Police Commission, to hold disciplinary hearings for police officers in public; and

WHEREAS, on April 10, 2007, the San Francisco Board of Supervisors adopted Resolution No. 175.07 supporting legislation that would make specified hearings on peace officer misconduct open to the public; and

WHEREAS, the San Francisco Police Commission recognizes and applauds San Francisco Board of Supervisors' Resolution No. 175–07, which encourages appropriate public disclosure of peace officer personnel records in disciplinary matters; now, therefore be it

RESOLVED, that the San Francisco Police Commission commends the Board of Supervisors for its action and urges the Board to affirm the position that transparency and openness regarding peace officer discipline is one of the top legislative priorities for the City and County of San Francisco; and be it

FURTHER RESOLVED, that if SB 1019 passes and is signed into law, authored by California Senator Gloria Romero, the San Francisco Police Commission is committed to conducting disciplinary hearings in public in order to preserve public confidence in the Police Department by demonstrating that officers who commit acts constituting misconduct are held responsible.

AYES: Commissioners Marshall, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Sparks

REPORT RE: INTERRELATIONSHIP OF THE EARLY WARNING SYSTEM, EARLY INTERVENTION SYSTEM, AND USE OF FORCE RECORDS

Deputy Chief Keohane reported on the interrelationship of the Early Warning System, Early Intervention System, and the Use of Force Records.

Commissioner Campos asked what steps are being taken to insure that when it comes to the early intervention system that the information is not being used for purposes of discipline. Deputy Chief Keohane explained that the use of force incidents goes into the early intervention file as part of a look of overall performance to see if there are any patterns. That information will not be access for uses of discipline or transfers. However, if it's a complaint and the use of force is also going to the disciplinary, that area will be tracked and it would be utilized for promotions and so on.

Commissioner Veronese would like to see an example of tracking the pattern and present it in Closed Session to see if it works.

PUBLIC COMMENT

Reuben Goodman discussed concerns.

APPROVAL OF MINUTES FOR THE MEETING OF MAY 30, 2007

Motion by Commissioner DeJesus, second by Commissioner Veronese. Approved 5-0.

COMMISSION ANNOUNCEMENTS

a. **Assignment of disciplinary case no. C07-076 ALW to an individual Commissioner for taking of evidence on a date to be determined by the Commissioner** (Resolution No. 65-07)

Assigned to Commissioner Sparks.

Sergeant Reilly announced that the District Meeting will held at the Rosa Parks Elementary School, 1501 O'Farrell Street, at 5:00 p.m.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

None

ADJOURNMENT

Motion by Commissioner Lee to adjourn the meeting in memory of Vincent Chin and Lilly Chin. Second by Commissioner Campos. Approved 5-0.

Thereafter, the meeting was adjourned at 9:27 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 27, 2007
5:00 p.m.

NORTHERN DISTRICT
ROSA PARKS ELEMENTARY SCHOOL
1501 O'Farrell Street
San Francisco, California

7/07

PLEASE NOTE EARLY START TIME

Pledge of Allegiance; Roll Call,

1. Chief's Report (DISCUSSION ONLY)
   a. Update on significant policing efforts by Department members
   b. Review of Recent Activities

2. OCC Director's Report (DISCUSSION ONLY)
   a. Review of Recent Activities

3. Commission Reports (DISCUSSION ONLY)
   a. Commission President's Report
   b. Commissioners' Reports

4. Captain Kevin Dillon, Commanding Officer of Northern Station, to address the Commission on Police Activities in the Northern District (DISCUSSION ONLY)

5. Public Comment
   (Members of the public may address the Police Commission for up to three minutes on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under Police Commission Rules of Order, during Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

6. Commission Announcements (DISCUSSION ONLY)

7. Scheduling of items identified for consideration at future Commission meetings. (DISCUSSION ONLY)

8. Adjournment (ACTION ITEM)

11:00 a.m. mst
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*** **SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. (415) 553-1667**

The San Francisco Police Commission and the Officers of Northern Station invite you to attend

A Special Meeting of the Police Commission
June 27th, 2007
5:00 PM

Rosa Parks Elementary School
1501 O'Farrell Street
San Francisco, CA 94115

This is your opportunity to address the governing body of the San Francisco Police Department. Residents, Merchants and Community Members of the Northern District are invited to voice their concerns directly to the Commissioners.

- Free parking available in the Rosa Parks schoolyard (Ellis at Hollis)
- An accessible entrance is located on O'Farrell at Hollis

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

LOUISE RENNE
President

DAVID CAMPOS
Commissioner

PETRA DeJESUS
Commissioner

YVONNE LEE
Commissioner

DR. JOE MARSHALL
Commissioner

THERESA SPARKS
Commissioner

JOE ALIOTO VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING

The Commission will hear public comment on all agenda items before or during discussion of the item. Public comment is limited to three minutes, unless the Commission President sets a different time limit as provided in the Commission's Rules (Administrative Code 67.15(c)).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: DONNA HALL, ADMINISTRATOR, CITY HALL, ROOM 244, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4689; OFFICE (415) 554-7744; E-MAIL: sotf@sfgov.org. COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.sfgov.org/sunshine.

Lobbyist Registration and Reporting Requirements
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; webs site www.sfgov.org/ethics.

SAN FRANCISCO POLICE
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

Communication accessibility services; including sign language Interpreters or computer aided real time captioning will be made available upon advance request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406(tty), at least 72 hours prior to a proceeding. Late requests will be honored if possible.

A **sound enhancement system** will be available on advanced request. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty) at least 72 hours prior to a proceeding. Late requests will be honored if possible.

Meeting agendas and other print materials will be made available in **alternate formats** (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call 553 1343 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

The proceeding will be held at: Rosa Parks Elementary School, 1501 O'Farrell Street, S.F.

Accessible MUNI lines serving this location is: 38 Geary
For information about MUNI service call 923 6142

The closest BART Station is: n/a

Accessible parking Rosa Parks school yard (Ellis at Hollis)

For information about the meeting call (415) 553-1667 **(v) or** 553-9194 **(tty)**

JUNE 27, 2007 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Northern District, Rosa Parks Elementary School, 1501 O'Farrell Street, San Francisco, at 5:33 p.m., in a Regular Meeting.

PRESENT: Commissioners Sparks, Campos, DeJesus, Lee, Veronese
ABSENT: Commissioner Marshall

(Commissioner Lee is excused at 6:30 p.m.)

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Commissioner Sparks welcomed the audience and asked the Commissioners to introduce themselves.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members
b. Review of Recent Activities

Chief Fong reported on the start of the 217th Recruit Class which started with 52 members and is down to 49 members. Currently there are 191 recruit officers in the Police Academy. Chief Fong also reported regarding the budget.

Chief Fong also reported on the recent Pride celebrations that happened last weekend. The Chief stated that there were broken windows that occurred but given the number of visitors that came to San Francisco, it was a great weekend with minimal difficult times in terms of crime problems.

Commissioner Sparks commended Captain Goldberg and thanked him for an outstanding job.

Chief Fong introduced the Command Staff. Present were Deputy Chief Keohane, Deputy Chief Craig, Commander Harper, Deputy Chief Shinn, Commander Tacchini, and Commander Lynch. Also present was Lieutenant Orkes.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Ms. Jean Field, Interim Director of OCC, gave a brief overview of what the OCC does and its responsibilities.

PUBLIC COMMENT

Daniel Landry, Western Addition, discussed concerns regarding an incident involving the Gang Task Force and asked that a satellite office of the OCC is needed in the Bayview and in the Western Addition.

COMMISSION REPORTS

a. Commission President's Report
b. Commissioners' Report

Commissioner Sparks stated that she met with the Chief and talked about violent crimes and talked about reorganizing under the Investigations Bureau and maybe adding a Commander over a violent crime unit as opposed to a Captain. Commissioner Sparks stated that hopefully she can talk to the Chief about that this Friday. Commissioner Sparks also stated that she has assigned Commissioner Veronese to work with the Department regarding DGO 8.01 and adding Homicides to 8.01, Critical Incidents. Commissioner Sparks also stated that she has talked to Commissioner Marshall and asked him if he would be willing to chair a standing committee as a Violent Crime Oversight Committee which would meet periodically, noticed meetings, possibly

members of the public would be invited to participate in that meeting and that would allow the Commission to have periodic updates on a more regular basis on what's going on relative to violent crime.

Commissioner Campos asked that the language access DGO be calendared as soon as possible. Commissioner Campos also asked about the assessment of the public safety cameras. He also asked for the OCC's outreach plan and process.

PUBLIC COMMENT
None

CAPTAIN KEVIN DILLON, COMMANDING OFFICER OF NORTHERN STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE NORTHERN DISTRICT

Captain Kevin Dillon talked about activities in the Northern District, the demographics of the district and the station and crime statistics in the district.

Commissioner Veronese asked what kind of outreach was done for the meeting. Captain Dillon stated that besides the weekly newsletters, the beat officers that are assigned to the beats in the Western Addition were all given flyers to pass out in the community. Commissioner Veronese asked why are there so few people present in the meeting. Captain Dillon stated that he does not know and stated that maybe it's the change in time.

Commissioner Veronese asked what the Department is not doing that children as young as 14 and 12 years old are involved in violent crimes. Captain Dillon stated that the firearms are moving to younger and younger ages and it is not something that the Department understand what is happening but the Department is doing everything it can to remove the firearms from the community.

Commissioner Campos asked what is the relationship of the Department, the Northern District with the community. Captain Dillon stated that the Department has a good relationship with some parts of the community and there are parts of the community that the Department could do better and stated that it is an ongoing effort to try and improve that relationship.

Commissioner Lee asked about Vietnamese speaking officers. Captain Dillon stated that if translation is needed, a call is put out to other districts for a Vietnamese-speaking officer and also the telephone company is used as a resource in case translation is needed. Commissioner Lee asked what the Captain is doing to help the senior community. Captain Dillon stated that the extra beat officers in the housing community provides extra presence for the seniors.

PUBLIC COMMENT

Frank Caneda expressed concerns regarding turf battle between pimps and prostitutes and stated that they are getting a lot of support from the Department and other police agencies but the problem does not go away.

Cheryl Davis, Western Addition, stated that there are two big community meetings happening at the same time and that's why people are not here.

Ace Washington stated that the foot patrols are doing their jobs with the community and stated that violence cannot be blamed on the police and asked for more police presence before the violence happens and not after.

Bella Brown, Lower Haight, stated that there is a lot of youth violence happening and stated that educating the community, getting to know the

community will help with youth violence and also the community needs to step up and take responsibility for themselves and their children in the neighborhood.

Cindy Brannan, SAFE Director, commended Captain Dillon and the officers of the Northern

Majik Crawford asked what are the job description of Gang Task Force and what are their goals and stated that gang violence has been increasing.

Daniel Landry asked what is the function of the Gang Task Force.

Ms. Berger commended Captain Dillon.

Ray, Northern Police Officer, asked where are the parents and stated it is not a question of race but a question of culture and stated that the Commission needs to talk to the district attorney and the judges.

Kirsten Williams commended Captain Dillon and his officers but stated that the cops do their part but it doesn't get finished. She stated that other city agencies should work together.

Wylie Adams stated that neighborhood groups need direction so that they know what to do and talked about a real disconnect between city agencies.

Dawn Trener, Middle Polk Association, addressed the question by Commissioner Veronese about outreach for this meeting. Ms. Trener stated that she personally witnessed the captain invite neighbors to this meeting. She also stated that things need to be done differently.

Omar Cleef, Western Addition Valley Resource Center, thanked the officers and asked the officers to please keep doing what they are doing and to please stay encouraged.

COMMISSION ANNOUNCEMENTS

Commissioner Sparks announced that there is no meeting on the July 4th but there is a meeting on the 11th in City Hall, and in the Mission on the 18th.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Campos would like the Josh Wolf matter calendared for the 11th of July.

Commissioner Veronese would like to have a meeting with the members of the Department and it should be made a priority. Commissioner Veronese asked if there is a police officer that deals with code enforcement. Captain Dillon stated there is a code enforcement officer at each district station. Commissioner Veronese would like a report regarding code enforcement violations in public housings. Commissioner Veronese asked if there is a performance evaluation done of the major units within the Department so that the Chief knows that they are meeting certain standards. Commissioner Veronese stated that he is interested in identifying deficiencies.

PUBLIC COMMENT

None

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Veronese. Approved 4-0.

Thereafter, the meeting was adjourned at 7:04 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

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